

understanding which has been encouraged by some Americans. I would like to have Mr. Alsop's column of today appear in the RECORD:

[From the Washington Post, Apr. 24, 1968]
NEW RED ATTACK ON SAIGON WOULD UNDERLINE TET FAILURE
 (By Joseph Alsop)

LAIKHE, SOUTH VIETNAM.—Reluctant enemy acknowledgement of costly defeat is now conspicuously here in III Corps, where our First Division has its stamping ground. If there is another attempt on Saigon, one can predict with reasonable confidence that the desperate character of the enterprise will actually underline the fact of past defeat.

The sickness at home is so serious that the enemy's own documents are thought to be a huge joke. If they prove our soldiers' and our allies' success in the field. Yet facts are facts, hard evidence is still hard evidence, and it is best to begin with the captured directives from the enemy's southern headquarters, COSVN, which trace the rather grisly story. The first directive was issued on Feb. 1 after a meeting of the COSVN Current Affairs Committee on the night of Jan. 31, while the Tet offensive was still officially in full swing. As this paper is both long and well-drafted, the peculiar timing makes one suspect that it had been quietly prepared pre-Tet, in expectation of failure, by southern-experienced staff officers naturally skeptical of the immensely over-ambitious plan of Gen. Vo Nguyen Giap, who had no direct experience of the southern war until a few months ago.

Like all enemy documents, it accentuates the positive for the benefit of the wretched lower echelons, speaking of surging victories of all sorts. But the heart of the paper, nonetheless, is the said acknowledgement that the offensive had already failed to attain its grand objectives: The general uprising, the collapse of the South Vietnamese Army by defection and in other ways, and the occupation of the cities.

In these bitter circumstances, all enemy units were adjured to attack and attack again, at no matter what cost, until the grand objectives were finally and fully attained. The same theme ran through a second COSVN directive, issued after another Current Affairs Committee meeting, less than a week later. Attacks on U.S. units were now excluded, however, as too costly.

The third COSVN directive, dated Feb. 21, then canceled the order for further attacks on the towns and cities, as impractically dangerous. Yet, it offered no surcease to the unhappy enemy GIs, since their units were still sternly commanded "to hang in" close to the towns and cities that had been their objectives.

The result was the kind of situation that Gen. Giap's able predecessor in command, the late Gen. Nguyen Chi Thanh, had found to be militarily untenable as long as two years ago, before the retreat to the border sanctuaries began. Here in III Corps, the result was a cruelly risky situation comparable to a military subway rush, in which further heavy enemy losses were unavoidable.

Such losses were unavoidable because all the enemy units, from divisions downwards, and all the U.S. and Allied forces were angrily charging about in this Corps area in a fattish oval centered on Saigon, with a long diameter of hardly more than 50 miles. For the enemy, it was far worse than the situation two years ago before Gen. Thanh ordered the retreat to the border sanctuaries; for our forces were much stronger and the near-in-VC base areas had all been Rome-ploughed or otherwise rendered near-useless.

The inevitable consequence was the continuation through March of losses for the enemy nearly as horrifying as those suffered in February. A fair though perhaps extreme example was a battalion of the 101st Regiment of the Seventh North Vietnamese Division.

Prisoners taken towards the end of March revealed that the battalion had begun the Tet offensive with 400 men. It had lost its battalion commander, executive officer and most of its staff. It had been reduced in strength to under 50 men. And it had lost all touch with regimental headquarters since the beginning of the month. In general, Giap's Tet failure and his subsequent obstinate refusal to admit that defeat, reduced all his units in South Vietnam to near-ruinous condition; and this was by no means compensated, except in the Delta, by intensified local press gangling.

The defeat was then belatedly acknowledged, when Giap at last permitted the scramble back toward the sanctuaries on the Cambodian border. This happened in all Corps areas. In II Corps, for example, at least five of the seven regiments of the B-3 front sought their usual sanctuaries some time

ago. Here in III Corps, the historic big units—the 9th, 7th and 5th Divisions—also moved out to lick their wounds in the same manner. And yet there is still the intelligence of a new attack on Saigon noted above.

It is only three or four days' march, it must be remembered, from the suburbs to the South Vietnamese capital. If the intelligence is correct, suicide squads of sappers will work with the historic big units, above listed, who were only in a supporting role at Tet.

But if we and our allies have reasonable luck, in the event of this attack, which is highly speculative, a renewed attempt on Saigon by outfits which have already suffered so terribly will be remembered in history as an act of desperation—although God knows how it will be reported at home.

Riot Insurance

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 24, 1968

Mr. RODINO. Mr. Speaker, I am introducing, today, legislation designed to assist in meeting the mounting insurance crisis in our Nation's cities. The bill would provide relief to the inner city propertyholder who now finds it increasingly more difficult to obtain regular insurance coverage—if indeed he is able to secure any protection at all. Though guaranteed reinsurance, insurance companies would be insulated from the potentially catastrophic losses that can accompany large-scale civil disorders.

This legislation encompasses the recommendations of the President's National Advisory Panel on Insurance in Riot-Affected Areas, which was chaired by the distinguished Governor of New Jersey, the Honorable Richard J. Hughes. Its implementation would launch a frontal attack on a serious national problem through the cooperative efforts of private insurance industry, State governments, and the Federal Government.

SENATE—Thursday, April 25, 1968

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. William G. Kalaidjian, minister, Bedford Park Congregational Church, New York, N.Y., offered the following prayer:

Almighty God, we pause and look to Thee to bless this Senate session that Thy will may be done through the Members of this distinguished body, reflecting the highest hopes for a history that belongs to Thee.

Thou hast given our country blessings beyond our greatest dreams. We have richness in material goods and richness in human and spiritual values. Yet we confess, O God, we have not lived up to all that we should be nor to all that we can become.

May the shame in our Nation's home-life; the tragedy of child abuse and neglect, where more children will die at the hands of their parents than from all other childhood diseases combined, may

this disgrace and our disregard of law that desecrates our land and disgraces our humanity, be changed.

Our Heavenly Father, we acknowledge that we have failed Thee and we have failed the blessing of freedom in our land. We have too long neglected our basic responsibilities, turning from Thee, placing secondary things first and first things last. Help us to be turned around in mind and spirit that we may abandon the lesser gods of materialism and false values, replacing them with the power of Thy love. Help our Nation to love itself more, and its people to love one another that we may fulfill our mutual destiny in Thee.

Gracious Father of our land, like Moses led his people to a new land under the new Commandments; like Christ led His people from death to life eternal in the resurrection; help this U.S. Senate to redeem the environment of our Nation in Thy spirit. Help them to lead our land out of the wilderness of the cap-

tivity of illiteracy; help them to make our Nation more than an empty togetherness as we stand by seeing the liquidation of the treasures of our Nation's soul. As Thou dost call us to a better life, as the police of America patrol and watch our cities' streets, we pray Thy protection upon them; and we pray for the liberation of the social ills of our cities that make police necessary.

May the content of our character, the possession of religious values and the development of our divine-given talents become the basis for where we live, how we live and the kind of work we perform. Bless every race, creed, and national background of the American people, O God, and to Thy glory may the U.S. Senate guide us, in the name of Him who is the Lord of life we pray. Amen.

THE JOURNAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the

reading of the Journal of the proceedings of Wednesday, April 24, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a joint resolution (H.J. Res. 908) designating the second Saturday in May of 1968 as National Fire Service Recognition Day, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 705) to assist veterans of the Armed Forces of the United States who have served in Vietnam or elsewhere in obtaining suitable employment, in which it requested the concurrence of the Senate.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H.J. Res. 908) designating the second Saturday in May of 1968 as National Fire Service Recognition Day, and for other purposes, was read twice by its title and referred to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 705) to assist veterans of the Armed Forces of the United States who have served in Vietnam or elsewhere in obtaining suitable employment, was referred to the Committee on Labor and Public Welfare.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare and the Subcommittee on Executive Reorganization of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. The PRESIDENT pro tempore. The clerk will call the roll.

CXIV—667—Part 8

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Without objection, it is so ordered.

WARSAW GHETTO UPRISING

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1077, House Concurrent Resolution 655.

The PRESIDING OFFICER. The concurrent resolution will be stated by title.

The BILL CLERK. A concurrent resolution (H. Con. Res. 655) recognizing the 25th anniversary of the Warsaw ghetto uprising.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. JAVITS. Mr. President, it is significant that the Senate is today adopting House Concurrent Resolution 655—of which I am the Senate cosponsor together with my colleague from New York [Mr. KENNEDY]—for on this date 25 years ago the world was electrified by the news of the beleaguered and practically unarmed Jews of the Warsaw ghetto fighting the whole Nazi war machine. This measure now before us expresses the sense of Congress "to recognize and acknowledge the world significance of the Warsaw ghetto uprising as a reaffirmation of the ineradicable determination to fight for freedom from oppression" and joins Congress in commemorating the 25th anniversary of the uprising.

Yet, as we mark this occasion, we feel moved also to protest a new wave of anti-Semitism in Poland. Of the once thriving Jewish community of 3,500,000 who lived in Poland before World War II, only a pitiful remnant of some 25,000 souls—less than one-tenth of 1 percent of Poland's population of 33 million—remain to be buffeted by what appears to be Government-encouraged anti-Semitism.

Fortunately, to its great credit the Catholic Church, which retains considerable influence with many Poles, has opposed the new anti-Semitic campaign. And individual Poles of good conscience are not lending themselves to the Polish Government's efforts to squeeze out of its national life its Jewish citizens.

I believe it is essential for the United States to express its deep concern to the Polish Government regarding mounting incidents of anti-Semitism in that country and their dangerous implications for the future. Our Nation must register its protest according to our tradition and our history.

We who live in security and freedom must long remember and be inspired by those brave men and women of the Warsaw ghetto who, under such hopeless circumstances, died for freedom and dignity. Their resistance will remain for-

ever a monument of light in a dark era of man's history.

I express my deep appreciation to the leadership of the House and of the Senate for allowing the concurrent resolution to be brought up today, the very day of the anniversary.

Mr. PERCY. Mr. President, I rise in support of the concurrent resolution and wish to express my support of the sentiments expressed by my colleagues. At this time I also think it is appropriate for us to take note of recent indications of anti-Semitism in Poland, and to encourage world opinion to protest against such practices. Transgressions of human rights require prompt action, lest they get out of hand and cause great suffering, as we have seen in our time.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 655) was agreed to.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on April 24, 1968, the President had approved and signed the act (S. 234) for the relief of James W. Adams and others.

EXECUTIVE MESSAGES REFERRED

As in executive session, The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of T. Nathan Churchill to be postmaster at Washburn, Maine, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

S. 10. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Ocean Delight*, owned by Saul Zwecker, of Port Clyde, Maine, to be documented as a vessel of the United States with coastwise privileges;

S. 1093. An act to authorize the use of the vessel *Annie B.* in the coastwise trade;

S. 3135. An act to amend the Communications Act of 1934 by extending the authorization of appropriations for the Corporation for Public Broadcasting; and

H.R. 15344. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session, The following favorable report of a nomination was submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs:
Edward Weinberg, of Maryland, to be Solicitor of the Department of the Interior.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. EASTLAND:

S. 3380. A bill for the relief of Anthony Glorioso; to the Committee on the Judiciary.

By Mr. EASTLAND (for himself, Mr. RANDOLPH, Mr. MONTROYA, and Mr. BYRD of West Virginia):

S. 3381. A bill to amend title 23 of the United States Code, relating to highways, in order to authorize the Secretary of Transportation to obligate funds for payment after the completion of the Interstate System for an immediate additional program of construction to improve the Federal-aid primary system; to the Committee on Public Works.

(See the remarks of Mr. EASTLAND when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 3382. A bill to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President; to the Committee on Commerce.

(See the remarks of Mr. SCOTT when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 3383. A bill to amend the Poultry Products Inspection Act in order to provide for the mandatory inspection of all poultry and poultry products intended for human food, to provide a mandatory program for the inspection and grading of eggs and egg products and for the mandatory inspection of fish and fish products, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MONDALE when he introduced the above bill, which appear under a separate heading.)

By Mr. COOPER:

S. 3384. A bill for the relief of Reeva Singh; S. 3385. A bill for the relief of Mariam Dattary; and

S. 3386. A bill for the relief of Mrs. Gretel Rieger Micol; to the Committee on the Judiciary.

By Mr. MCINTYRE:

S. 3387. A bill for the relief of Concepcion D. Navajos;

S. 3388. A bill for the relief of Ocasio Magina Diogo Ferreira;

S. 3389. A bill for the relief of Jose Rodrigues Borges;

S. 3390. A bill for the relief of Benjamin Ponto Amaral and his wife, Maria Rosa Amaral; and

S. 3391. A bill for the relief of Matilde Maria Antunes Goncalves Diogo Ferreira; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 3392. A bill for the relief of Ah Mee Locke; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 3393. A bill for the relief of Kong Siong Hong, Lo Piu Kin, Man Ying Chi; to the Committee on the Judiciary.

S. 3381—INTRODUCTION OF A BILL TO AMEND TITLE 23, UNITED STATES CODE, RELATING TO HIGHWAYS, TO IMPROVE FEDERAL AID TO PRIMARY SYSTEM

Mr. EASTLAND. Mr. President, on behalf of myself, the Senator from West Virginia [Mr. RANDOLPH], and the Senator from New Mexico [Mr. MONTROYA],

I introduce a bill for appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3381) to amend title 23 of the United States Code, relating to highways, in order to authorize the Secretary of Transportation to obligate funds for payment after the completion of the Interstate System for an immediate additional program of construction to improve the Federal-aid primary system, introduced by Mr. EASTLAND (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. EASTLAND. Mr. President, Senate Joint Resolution 81, Public Law 89-139, required the preparation of a report by the Department of Transportation detailing our Nation's highway needs.

The 1968 national highway needs report has been transmitted to Congress by Secretary Boyd. There is also available the record of a hearing conducted by the House Committee on Public Works on June 7, 1967. The testimony was presented by Hon. Eugene Johnson, president of the American Association of State Highway Officials. The hearing record contains the expression of the American Association of State Highway Officials regarding the absolute necessity of continuing, without interruption, the Federal-aid highway program beyond the completion of the presently authorized Interstate System.

These valuable documents deal with a subject of paramount importance to our country and to our citizens and both the report and the record deserve our attention and consideration.

The report outlines the urgency of an improvement and modernization program for our primary and secondary systems and urban needs are prominently reviewed in the study.

Based upon a continuation of the highway trust fund until our pressing highway problems are solved, the study envisions a sweeping overhaul of the primary system. Some highways would be dual-laned with severely limited access; others dual-laned and provided with more liberal access; some portions to consist of two-lane roadways designed for maximum safety and allowing high-speed movement.

The highway needs report states that planning has progressed sufficiently and that our contractual capacity is equal to the task of bringing excellence to the American primary network. What is lacking to launch this desperately needed program is an effective and efficient method of financing the undertaking.

I am introducing a bill today which I believe will allow the States and the Federal Government, working together, to extend the partnership which has achieved outstanding progress on our Interstate System into the next logical area of need, our primary system of highways.

I propose that the States, on their own initiative, using the best financial resources available to them, be authorized to proceed to revitalize their primary systems. To support this great endeavor

I suggest that the Congress enter into a commitment with the States under which the States would receive reimbursement from the highway trust fund after the completion of the Interstate System.

A careful perusal of the several formulas discussed in the highway needs report convinces me that a 75-percent Federal and 25-percent State participation would be workable and equitable.

In my judgment, this formula would not overextend the resources of the States nor would it overburden our national capabilities through a continuation of the highway trust fund beyond the 1975 target date for the completion of the interstate network.

Mr. President, I can assure you that this matter is one of vital concern to the States—that the primary road system has reached the point of crisis in many areas. I took the liberty of checking this proposal with 10 top-level State highway officials, representative of opinion in the New England, Southern, Midwestern, and Far Western sections. The proposal was approved by each of these officials, a number of whom expressed enthusiasm for the concept. I found an attitude of urgency regarding the primary system problem in each of the States I contacted.

My own State's legislature is presently considering a \$350 million bond issue for renovation and construction on the primary network in Mississippi. The bill which I introduce today would encourage my State, and all States, to undertake forthwith a comprehensive highway modernization in anticipation of a reimbursement under the 75 to 25 formula which they would receive following the completion of the Interstate System.

Across America, State legislatures are deeply involved in difficulties connected with highway financing. Indeed—in several States the situation has forced the consideration of undertaking toll road projects.

Mr. President, I submit that our national interest would not be served by the continued postponement of primary construction. Since 1956 construction emphasis has been placed on interstate projects—and because availability of funds controls programs, the development of all other portions of our interrelated and interdependent roadway network has been curtailed or held in abeyance.

For a nation on wheels—a nation which must be concerned with her military security, with the expansion of her economy, with the protection of her motorists, time is an increasingly critical factor.

I believe it to be apparent to all that, while the Interstate System performs a marvelous service to a necessarily restricted sector of our national highway requirements, the primary system reaches into and serves every State and every area of our America.

At the end of the next decade 75 percent of our population and 80 percent of motor vehicle registration will be found in urban centers. We will witness a 100-percent increase in miles traveled over

primary roads and a majority of this travel will be intercity movement.

While vastly improved primary roads will certainly support growth and development in rural areas, it will render an invaluable service—a service we cannot be without in our rapidly growing cities.

Many more significant factors support this proposal. In the past year alone inflationary costs for highway construction have increased 4 percent and an increase in this trend is anticipated. Further—this program can be utilized against hard-core unemployment and underemployment. It would furnish many thousands of jobs for unskilled and semiskilled persons who would be afforded an opportunity to contribute to the advancement of their country and the protection of their fellow citizens.

I am convinced that the States would seize this opportunity to improve their primary roads, at their own expense, anticipating reimbursement after the Interstate System is completed. This reimbursement would, of course, be effected under terms and conditions considered to be fair and equitable by the Department of Transportation.

All of the primary construction in this program would be required to meet the Bureau of Public Roads' standards which would be in effect for 1975.

I should like to point out that this method of financing would be ideal in that it would not constitute any drain whatsoever on other Federal programs. All other Federal programs could proceed at full speed simultaneously with this improvement program.

This proposal is not a new approach nor is it without precedent. The interstate program, in operation today, allows the States to proceed at a faster pace than that provided by the Bureau of Public Roads and to obtain subsequent reimbursement. This method has proved to be both successful and beneficial and I see no reason whatsoever for it not to operate with the same degree of efficiency and effectiveness in this suggested primary system undertaking.

The measure which I introduce today will, of course, have to be perfected by the Public Works Committees of the House and Senate. My hope and my purpose is that we may proceed with a program which I sincerely believe will serve every segment of our society and every section of our country.

Mr. President, while my proposal is limited to the primary system, I want to emphasize that the study encompassed secondary roads as well. I suggest, strongly, that any primary program be made flexible to that degree which would allow the correction of hazardous conditions on secondary roadways.

Mr. President, here is the strongest argument in favor of this proposal. Improvement of our crowded and aging primary roads will save the lives and alleviate the suffering of millions of Americans in the decade ahead.

Casualty figures and property losses are reported annually in staggering statistics. During last year 53,000 Americans were killed on our highways, 1,900,000 of our fellow citizens suffered disabling in-

juries, and \$11 billion worth of damages was occasioned by accidents.

Does highway improvement affect these terrible figures? I should like to direct attention to an example which illustrates, with startling clarity, how safety goes hand in hand with highway improvement. Statistics drawn from a continuing study being conducted by the Bureau of Public Roads contrasts safety on the interstate system with the records on those roads which interstate highways replaced. For each 100 million vehicle-miles we find 135 accidents instead of 238; a reduction in injuries from 133 to 50; a decline in deaths from 9.7 to 2.8.

I submit that, while our driver improvement programs should be supported and strengthened, American motor vehicle operators can be generally categorized as safe drivers.

Further—while our automobiles, trucks, and buses must be furnished with the finest in safety features, I believe our vehicles to be engineered and equipped for safe operation.

Where—then—is the basic weakness that kills and maims our people by the thousands?

Mr. President, I am convinced that the real villain in this tragic story is neither car nor driver—it is the narrow, outmoded, hazardous, two-lane highway.

The enactment of this legislation can launch a great undertaking which will undergird our economy, add to our defense capabilities, and, above all, curb the fearsome slaughter that haunts the highways of this Nation.

Upon the completion of a new primary system of advanced design, engineered for safety, the villain—the narrow, dangerous, two-lane primary highway—will disappear from the American scene.

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent that my name be added as a cosponsor of the bill, which was introduced today by the distinguished senior Senator from Mississippi [Mr. EASTLAND], and cosponsored by the Senator from New Mexico [Mr. MONTROYA] and the Senator from West Virginia [Mr. RANDOLPH], to amend title 23 of the United States Code relating to highways.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 3382—INTRODUCTION OF BILL TO SUSPEND FOR THE 1968 CAMPAIGN THE EQUAL-TIME REQUIREMENTS FOR NOMINEES FOR PRESIDENT AND VICE PRESIDENT

Mr. SCOTT. Mr. President, I introduce, for appropriate reference and, hopefully, immediate action, proposed legislation to suspend the "equal time" provisions of section 315(a) of the Federal Communications Act for the 65 days of the 1968 presidential and vice-presidential elections. My bill, effective September 1, 1968, is virtually identical to the legislation passed by the 86th Congress that led to the famous Kennedy-Nixon television debates of 1960, one or more of which it has been estimated

were watched by more than 115 million voters.

This year, 120,652,000 Americans will be of age to vote in what could be the most crucial presidential election in our history. The problems facing this Nation, ranging from the tragedy of war in Asia to explosive unrest in the ghettos of our declining cities, have never been graver. The urgency of our situation demands, as never before, that the voters of 1968 make an intelligent choice based on a full understanding of the problems and the solutions to these problems which each of the presidential candidates and their running mates proposes. A maximum use of television and radio broadcast time can aid immeasurably in this essential process of informing the electorate.

Under section 315(a) of the Federal Communications Act, any broadcaster, who makes his facilities available to any one candidate for public office, must offer equal opportunities for the use of those broadcast facilities to all other candidates for the same public office. Only bona fide newscasts, news interviews, news documentaries and the on-the-spot coverage of bona fide news events are exempt from this requirement. In theory, this section is supposed to increase access to broadcast exposure for political candidates. Testimony before the Senate Communications Subcommittee last year, however, indicated that, in practice, just the opposite is likely to occur.

Although there was substantial disagreement on what should be done to resolve the equal-time problem, witnesses before the subcommittee were almost unanimous in their opinion that section 315(a) would lead to less, not more, availability of broadcast time. They argued convincingly that broadcasters would restrict accessibility because of fears that time granted to the Republican and Democratic candidates would result in a clamor for equal time from the candidates of minor parties whose claim for a bid to the White House was questionable, at best. The broadcast networks have reported that the cost to them for commercial time that might otherwise have been sold during the Kennedy-Nixon debates of 1960 exceeded \$2 million. The same year, 14 other presidential candidates had the support of one or more of 18 officially recognized minor parties, including the vegetarians, the prohibitionists and the American "beat" consensus. Had each been able to claim equal time, the cost clearly would have been prohibitive.

I believe enactment of the temporary suspension of section 315(a) which my bill proposes is especially essential this year. President Johnson's announcement that he will not be a candidate for the Democratic nomination creates a situation unparalleled in American politics since 1960. Neither candidate of the two major parties will be an incumbent; therefore, both may be more willing to engage in a public discussion of the issues because the natural restraints of the Presidency will be removed.

Recognizing the unique opportunities which 1968 will afford, my bill also directs the Federal Communications Commission to submit a report of broadcast

coverage to Congress within 6 months after the campaign's conclusion. This information should be of valuable assistance in considering possible permanent revisions to section 315(a) at a later date.

Please let me emphasize, however, that a temporary suspension this year would not affect the fairness doctrine. Broadcasters would still have a definite obligation under this doctrine to make available to others "a reasonable opportunity for the discussion of controversial issues of public importance."

Nor would my bill compel the broadcast networks to again stage presidential debates such as those of 1960. Although it might be hoped that this would result, these decisions, including perhaps innovations with new broadcast formats yet untried, would be left to the private networks, their station affiliates and, of course, the candidates themselves once the nominating conventions have made their choices known.

What should certainly result, however, is a broader public discussion of essential national issues in this vital election year. My bill can help to make this possible and I urge its immediate enactment.

THE PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3382) to suspend for the 1968 campaign the equal-time requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Commerce.

S. 3383—INTRODUCTION OF WHOLE-SOME POULTRY, EGGS, AND FISH PRODUCTS ACT OF 1968

Mr. MONDALE. Mr. President, I introduce today, for appropriate reference, the Wholesome Poultry, Eggs, and Fish Products Act of 1968.

THE PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3383) to amend the Poultry Products Inspection Act in order to provide for the mandatory inspection of all poultry and poultry products intended for human food, to provide a mandatory program for the inspection and grading of eggs and egg products and for the mandatory inspection of fish and fish products, and for other purposes, introduced by Mr. MONDALE, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. MONDALE. Mr. President, this measure would amend the Poultry Products Inspection Act to provide for mandatory inspection of all poultry and poultry products intended for human food, and provide a mandatory program for inspection of fish and fish products, and inspection and grading of eggs and egg products.

Mr. President, a quarter million or more Americans every year suffer needless disease, and even death from eating contaminated poultry, fish, and eggs.

And this quarter million is a conservative estimate, based on reported cases.

Most cases of food-borne illness and death are not reported. The reports illustrate some of the dimensions of the problem: In the last 7 years, 10,609 Americans have been reported ill or dead because of diseases related to poultry, eggs, and fish. Of these cases, 7,653 were attributed to poultry, 1,466 to eggs, and 1,490 to fish.

In the same period, there were 11 reported deaths from botulism attributed to fish, two from smoked ciscoes; and nine from tuna, smoked whitefish, and whitefish chub.

In the last 5 years alone, 320 deaths have been associated with salmonellosis, much due to contaminated poultry, fish, and eggs.

Authorities emphasize that such statistics must be multiplied several hundred times to get any real estimate of the problem.

It has, for example, been estimated that more than 1 percent of the population becomes infected with salmonellosis from all sources, but that only 1 percent of the cases are reported to public health authorities.

Other diseases associated with poultry, eggs, and fish are caused by staphylococci, clostridium botulinum, clostridium perfringens, streptococci, shigella, infectious hepatitis, and paralytic shellfish poison.

The major cause of salmonellosis reported over the last decades has been livestock and fowl. Widely distributed animal feeds have been found heavily contaminated with salmonella. Eggs and egg products have been the principal source of reported outbreaks in the recent past.

Why does the count continue?

The answer is to be found in the unsanitary practices of growers, processors, and retailers of poultry, fish, and eggs, inadequately regulated by existing Federal, State, or local programs.

According to the Public Health Service:

The accumulated knowledge strongly suggests that prevention of food borne illnesses from poultry, eggs, and fish . . . depends on the continuous application of sanitary measures from production and harvesting of raw products, through all intermediate steps of processing and distribution, to final preparation for serving.

No effective mechanism is available for achieving such a unified program of consumer protection that encompasses all the commercial enterprises and governmental agencies whose participation is necessary to reduce the health hazards to a practical minimum.

THE PROPOSED POULTRY AND FISH BILLS

In his consumer message, President Johnson recognized the problems existing in the poultry and fish industries. He called for closing the gaps in the system of poultry inspection, and for "guarding the consumer's health against unwholesome fish." He subsequently had prepared two bills to carry out this work.

It is my feeling, however, that these measures could be strengthened.

The administration measures would extend many of the provisions of the Meat Inspection Act to fish and poultry.

Neither measure provides immediate continuous protection for the consumer.

Immediate authority is extended only to fish and poultry shipped in interstate commerce. Products shipped within a State may remain uninspected or inadequately inspected for 2, or in some cases 3 years before standards equal to Federal requirements would be required. The poultry measure would permit poultry exempted from Federal inspection to be shipped across State lines. It does not cover feed grains, an important source of salmonella contamination. Both bills leave out the key word "mandatory" which gave added strength to the meat inspection measure. The poultry inspection measure omits the annual review of State programs contained in the meat bill to assure that once a State has been made responsible, it is, in fact, carrying out a program equal in strength to the national requirements. Advisory committees, so important to effective development of regulations and programs, fail to include both consumers and industry in the poultry bill, although the contribution of these two groups is included in the fish measure.

While the fish bill contains much more of the original intent of the meat measure, it too fails to "cover the waterfront," so to speak. Adequate inspection of vessels is made discretionary. Record maintenance is considerably weaker in the fish measure than it is in the poultry bill. Records need be maintained only by those processing fish and holding them after shipment, deleting important steps in the process from boat to consumer. Unlike the poultry measure, access to records is provided only for the Secretary, not for authorized representatives.

Moreover, both measures delete the provision for full public disclosure contained in the Meat Inspection Act, including reports to Congress revealing the nature and extent of activities, and the total effectiveness of the overall governmental effort.

Moreover, the fish bill fails to take adequate account of the special factors pertaining to fish that require a difference in treatment from the meat measure. There is no provision for help to the fishermen of the Nation through a fisheries extension program.

Both contain other, smaller deficiencies. For example, the poultry bill provides for administration detention of unwholesome poultry, but does not require that the owner pay for storage during the detention proceedings. The fish bill fails to state that charges for impounded imported fish be paid by the owner. It permits certification for countries which meet U.S. standards, but fails to provide for any review of compliance. While placing reliance on States, the fish bill fails to include the requirement for "equitable distribution of development funds" among the States included in the poultry measure.

The poultry measure has been considered on the House side. The bill reported out by the subcommittee has been strengthened in several respects. However, two new weaknesses have been introduced: Violations of the law must be "knowingly" committed, even though this is required neither by the meat inspection nor by the Pure Food and Drug Act; plants handling less than \$15,000

worth of poultry a year are exempted, even though these may send contaminated poultry to the consumer. And there is still the long waiting period before Federal inspectors can check intrastate plants when States do not intend to enforce inspection laws of their own.

Finally, no measure yet before either House deals with eggs.

THE NEED FOR EGG INSPECTION

The fresh, unbroken hen's egg is one of nature's best protected raw foods. Usually, even when eggs are obtained from diseased flocks, the egg, and yolk remain germ free. Most problems begin when the shell is cracked.

In commercial processing, an occasional contaminated egg cannot always be detected, and may be mixed in with a large number of good eggs. If eggs are dirty, cracked, or otherwise mistreated, they may cause contamination. Storage of whole eggs under warm and moist temperatures may allow micro-organisms to penetrate the shell. Ideally, the breaking operation should allow rejection of dirty, low-weight, check eggs, and incubator rejects before they are mixed. However, this is not always the case. The Food and Drug Administration, for example, cites case after case of the use of incubator rejects—eggs incubated at the hatcheries, but which fail to germinate, or in which the fetus had died.

Increasing numbers of the things that we buy contain not freshly broken shell eggs, but frozen, dried, or powdered egg yolks and whites. The processing of eggs can leave much to be desired.

According to the Public Health Service, conditions in most egg processing plants allow many disease-bearing micro-organisms to remain in the finished raw egg or egg products.

Unless pasteurization is used, *Salmonella* may remain throughout the processing operation. And even pasteurization may be inadequate, because the milk equipment adapted to egg processing may not do an adequate job.

The present inspection effort consists of actions by the States; and by Federal Government. The USDA operates a continuous, voluntary inspection service. In this, they are joined by Food and Drug Administration representatives, conducting surveillance or spot check inspections as part of their overall responsibilities under existing laws. Under the USDA program, 68 percent of the total U.S. liquid and frozen egg production, and 72 percent of the dried egg production was inspected last year.

While the Food and Drug Administration has authority to inspect under the Food, Drug, and Cosmetics Act, its inspections are not continuous. Only 652 inspections were made in 536 plants in 1967, an average of a little over one during the entire year, and these only in plants that shipped for interstate commerce.

Information on State programs indicates that they too are inadequate.

Most States do not have specific laws applicable to egg products, although 36 States have general food-type sanitary laws, that cover processing of all foods, but do not require pasteurization. Twelve States have mandatory laws, and two States have a voluntary law covering egg

products. There is tremendous variation, both in the content of all of these laws, and in how they are administered.

There are approximately 800 non-USDA plants, producing about 231,470,000 pounds of liquid or frozen products. While the USDA has not done a survey of these plants as they did for nonfederally inspected poultry and meat plants, evidence from my own State, and others, shows how badly a uniform, strong inspection system is needed.

I first became aware of the problem with nonfederally inspected broken egg processors when one of my constituents, Mr. James Kosmo, editor of the *Edina Courier*, brought to my attention the situation in Lonsdale, Minn. The FDA has seized 6,000 pounds of egg whites from the egg company in that town. The egg whites were found to contain *Salmonella*, fecal strep, and a coliform count more than 10 times that of raw sewage. The FDA report on the Lonsdale Egg Co., explained the reason for contamination: flies in the breaking room; dead flies in empty cans that then were filled with eggs; cleaning equipment that was itself contaminated from a hose left lying on the floor when it was not in use; raw, whole eggs stored in a holding tank at a temperature of 65-67 degrees for 1 hour or more; employees taking sanitized empty cans from the floor, and stacking them on each other.

The people receiving these eggs in Iowa and Missouri were lucky they were shipped in interstate commerce, and that the FDA inspectors caught them. How many other loads had been shipped to other States and within the State before these conditions were caught we will never know. For the Lonsdale plant was not under any kind of continuous inspection system.

These kinds of problems are not limited to Minnesota alone, of course. They exist across the United States.

In the spring of 1967, the Public Health Service, and local health officials, investigated the largest epidemic of salmonellosis in recent years in New York City. In one 3-week period, 14 outbreaks, with 1,790 persons involved, were tallied among families who had attended bar mitzvah celebrations in the New York area. The Public Health Service estimates that the total number of persons ill ranged somewhere between 9,000 and 21,000 persons. The cause turned out to be frozen cream chiffonade dessert prepared from contaminated, unpasteurized frozen egg yolks distributed not only to New York, but through the Northeastern United States. The source of the problem was in the processing plant:

Eggs were automatically broken, the whites and yolks were separated and flowed into buckets. Bits of egg shell often fell into the egg yolk and these were removed by hand, thus allowing ample opportunity for organisms on the outside of the shell to be inoculated into the yolk . . . some amount of yolk or egg white remained present in the mixing tank from the beginning to the end of the working day, a period of seven hours . . . the egg breaking and mixing were done at room temperature. Multiple *salmonella* serotypes were found in the egg breaking equipment and in the yolk mixing and straining tanks. A great variety of *salmonella* serotypes were found in samples of the plant environment and frozen wastes on the freezer

floors. . . . The very generalized contamination of the environment, the machinery, and the unfinished product made it difficult for any product to be free of *salmonella* unless it was subsequently cooked or pasteurized.

But this did not happen, for the chiffonade was not cooked, nor were the eggs pasteurized before they were made into the dessert.

The Public Health Service report concluded:

This large outbreak resulted from the failure to control *salmonella* contamination at multiple points . . . 1) *salmonella* in the poultry feed leading to 2) *salmonella* in the children's gastro intestinal tract, causing 3) *salmonella* in the fecal contamination of the shells of eggs; 4) use . . . of "checked" eggs which would be most likely to have *salmonella* penetration; 5) an egg breaking process which distributed the *salmonella* uniformly into all of the egg products and allowed for its growth; 6) mixing the unpasteurized egg yolk into the dessert product and allowing for further incubation, and 7) failure to cook the chiffonade mixture after adding the contaminated eggs. The outbreak might have been prevented by correction of the inadequate sanitary practices at any one of these points.

And it also pointed to the need for further uniform regulation of egg processing plants, within as well as outside States:

The FDA requires that all egg products shipped interstate be *salmonella*-free. The FDA and the USDA have begun a program to try and eliminate *salmonella* from animal feeds. Such a federal regulation, however, would have been insufficient to prevent the outbreak under consideration because many poultry feeds given to the chickens were produced in the state in which they were used, and the egg product, frozen eggs, was not shipped interstate. The majority of the chiffonade dessert was also shipped intrastate.

Here again, this is not an isolated instance. Other Public Health Service reports point to six persons infected from drinking eggnog in Illinois; an unknown number infected in Washington, D.C., from egg yolk used in cake filling; 268 persons ill after eating coconut cream pie with meringue in Michigan. All of these could be traced to contaminated cans from frozen egg white.

Powdered eggs have caused widespread outbreaks of disease in infants because the eggs were inadequately pasteurized.

In the spring of 1964, Public Health Service investigations of an outbreak of food poisoning at a sorority dinner at the University of Utah discovered the cause to be banana-cream pie made from *Salmonella*-contaminated eggs. Sixty-six guests, waitresses, and kitchen employees became ill, some so ill that they required hospitalization. Eighty-eight cases were found at about the same time in other parts of Utah, and in Arkansas, Hawaii, Maryland, and Washington State. Three welfare recipients were reported dead in 1965 in Washington State from *Salmonella*-tainted dried eggs they had received from the State surplus food program. The Public Health Service points out that the use of raw eggs in bakery goods such as eclairs, or in hospitals have repeatedly caused outbreaks of illness that have been traced back to the eggs.

And the count continues on.

The Public Health Service sums up the situation well:

The practical fact is . . . that conditions in most egg processing plants allow survival of pathogenic microorganisms in finished raw egg and egg products.

They go on to cite evidence from Canadian authorities who have dealt with our exported egg products for many years.

A recent Canadian survey of such products showed that salmonella organisms were present in 12 percent of 114 samples of frozen egg and in 54 percent of 119 samples of egg-containing cake mixes, mostly manufactured by U.S. firms.

If this is the case from eggs shipped in interstate commerce, and across our national border, we have only to imagine what it must be like in the noninspected intrastate operations.

THE WHOLESOME POULTRY, EGGS, AND FISH PRODUCTS ACT OF 1968

The measure I introduce today represents an electric approach to resolving the problems not only in poultry and fish, but in egg inspection as well. While it takes much from the administration measures, it remedies the defects in the fish and poultry bills, and adds other provisions. It moves us toward that "unified program of consumer protection" the Public Health Service and all of us believe is necessary to protect the well-being of the Nation.

The bill creates the broad unified framework we need today to administer all three programs. It rests administrative authority for inspection not only of poultry, but of eggs and fish in the Secretary of Agriculture, thereby ending the potential for overlapping and duplication inherent in presently pending bills.

As did my original version of the Meat Inspection Act, the bill gives the Governors of States the chance to choose whether they wish to conduct part or all of the poultry, fish, and egg program without forcing it on them. Under this measure, Governors whose State laws equal Federal measures would be able to apply to the Secretary for an exemption from Federal inspection. If the Secretary found evidence that the State would be able to carry out a program equal in consumer protection to the Federal inspection system, he could then work with the States. He could provide technical assistance to strengthen State programs, and supply up to 50 percent of the total cost of the inspection program. But the consumer would be protected at all times. If the Secretary found that State programs were inadequate, he would be empowered to move quickly to reassert Federal standards and controls. The Secretary could, of course, reexempt the State if and when the standards became sufficient again.

I think this flexible provision is essential in view of the fact that only five States now have active, mandatory poultry inspection laws, and that no State egg or fish programs are as extensive as would be required under this proposed measure. Adequate protection of the consumer cannot be achieved without uniform standards applying both to products shipped within States and across State lines, because increas-

ing number of poultry, fish, and egg processors prepare products for both types of shipment at the same plant, if not at the same time. Some States may wish to develop their own programs; but many may not. Those who do not wish to go to the added expense of developing their own administrative structures should not be required to do so.

This measure would permit the Secretary to work not only with States, but with other Federal agencies as well. With the ability to use the personnel and skills of States and other agencies, the Department will be able to work out the most effective and efficient arrangements for administration of the program on a State-by-State basis.

This bill authorizes the Secretary to make fullest use of the expertise of industry and the consumers. It provides for broadly representative advisory committees. We would expect these committees to consider not only issues specific to poultry, eggs, and fish, but also problems that cut across the protein products industry. The committees could help develop effective, uniform standards to protect the consumer, and the responsible members of the industries involved who often in the past have had to suffer losses in profit because their higher quality products have cost more than contaminated ones. We would expect committees to consider more effective means of warning consumers and industry of products potentially hazardous to health. The Minnesota Mining & Manufacturing Co. has developed a stamp for food packages, for example, which would indicate when frozen food packages had been thawed above safe temperature levels. This, and numerous other avenues to consumer protection could be explored.

We would expect an overall saving to taxpayers from this centralized protein inspection arrangement. The Secretary could unify recruitment, selection, training and advancement arrangements, eliminating much of the duplication and inconsistency that now exists. He could deploy manpower with great efficiency, using inspection and laboratory personnel in multiple roles. Meat, vegetable, and egg inspectors could also inspect poultry, fish, and egg products. The Secretary also could make cooperative arrangements with other Federal agencies, or State and local government to have their personnel conduct the multiple segments of the program.

The Department of Agriculture is the obvious choice to undertake this responsibility. While other agencies have been involved in parts of the overall effort, none has the combination of previous experience, and present administrative capacity necessary to assure the success of the measure I propose. The Department of Agriculture has administered successfully meat, poultry, and egg programs. It also has had responsibilities in fish inspection in the past. The Department could call upon the expertise of other agencies. But the Department itself could be made accountable on behalf of the consumers.

All three titles of this bill would require annual reports to the Congress and

Nation like those required under the Meat Inspection Act.

The bill requires that mandatory programs be adopted for inspection of all poultry, fish, and eggs and their products. Exemptions are provided, but only in cases where evidence proves these to be absolutely essential. The Secretary is required to make the reasons for any additional exemptions available to the public.

The provision of the administration poultry bill making possible the shipment across State lines of poultry exempted from Federal inspection is deleted. This provision, not in the Meat Act, would make it possible for millions of pounds of inadequately inspected poultry to be sold to the consumer unaware that State requirements did not equal the Federal. The Federal-State inspection legend provision also is deleted. It was not in the meat bill either, and raises serious problems.

My poultry title adds a provision not in the administration measures, providing for inspection of poultry feed, to prevent contamination. And the fish title provides for technical and financial assistance to the fish industry to help it upgrade and modernize its operation to meet the requirements of the act, and for a fisheries extension program.

The fish title also amends the administration import provisions, making it conform to the standards of the Meat Act.

My bill gives 1 year for study and development of standards for fish inspection. I do not see why we must wait for three.

Finally, my bill remedies numerous smaller gaps in the administration poultry and fish measures. Adequate inspection of vessels would be required as part of the fish program instead, rather than left to the discretion of the Secretary, as it is in the administration bill. Import certificates would be reviewed under my fish title. Those responsible for illegal acts, such as importing diseased products, or merchandising them would be required to pay for administrative costs.

Mr. President, the American consumer can wait no longer for adequate protection of protein products. This year in which spectacular progress is being made to prolong life through medical science seems the appropriate time to act to assure that the quality of life, the health of people, be protected as well.

Mr. President, I ask unanimous consent that a section-by-section analysis of the legislation be printed in the RECORD at this point.

There being no objection, the section-by-section analysis of the bill was ordered to be printed in the RECORD, as follows:

SECTION-BY-SECTION ANALYSIS OF THE WHOLESOME POULTRY, EGG, AND FISH PRODUCTS ACT OF 1968

TITLE I.—AMENDMENTS TO THE POULTRY PRODUCTS INSPECTION ACT

Section 101. Amendments.—

(1) Section 2 amends the legislative finding now in Section 2 of the Poultry Products Inspection Act (PPIA) to support the provisions of the bill which affect intrastate commerce.

(2) Section 3 of the PPIA is amended to delete reference to designated major con-

suming areas, and include the terms adulterated and misbranded, used elsewhere in the Act.

(3) Section 4 of the PPIA is amended to revise definitions of "commerce," "Secretary," "poultry product," adulterated, "inspector," and "label," to delete the definitions of "official inspection mark," "wholesome," and "unwholesome," and to add numerous new definitions including "processed" and "misbranded." Definitions conform closely to those of the Federal Meat Inspection Act (FMIA).

(a) The term "commerce" is amended to mean commerce within or between any State, territory, District of Columbia or within any territory not organized with a legislative body.

(b) A definition of "State" (including the Commonwealth of Puerto Rico) is added.

(c) A definition of "Territory" is added, including territories and possessions of the United States, except the Canal Zone.

(d) A definition of "United States" is added, covering all the States, Territories, and the District of Columbia.

(e) The definition of "poultry" is extended to include domesticated birds that died otherwise than by slaughter.

(f) The definition of "poultry product" is clarified and extended to include New York dressed poultry under the coverage of the Act. The definition closely resembles that for meat products under FMIA, except for the phrase "capable of use as human food" quoted elsewhere in the Act.

(g) The definition of "adulterated" is amended to conform to the FMIA except for non-substantive changes and other changes to make it applicable to poultry products.

(h) The definition of "misbranded" is amended to conform generally to the FMIA except for changes needed to make it applicable to poultry products.

(i) "Secretary" is redefined to include delegates of the Secretary as well as the Secretary of Agriculture himself.

(j) A grammatical change is made in the definition of "person".

(k) The definition of "inspector" is changed to include reference to employees or officials of a Territory, the District of Columbia, as well as of a State, or the United States.

(l) A definition for the term "official mark" is added, broader than the "official inspection legend."

(m) The term "official inspection legend" is substituted for "official inspection mark" in conformity with the FMIA.

(n) and (o) The terms "official certificate" and "official device" are added to conform to the FMIA.

(p) and (q) There is no change in the definitions of "official establishment" or "inspection service."

(r) A grammatical change is made in the definition of "container" or "package."

(s) "Label" is redefined to include written, printed, or graphic matter upon articles as well as matter upon the immediate container. The definition of "labeling" is added in conformity with the FMIA.

(t) and (u) No change is made in the definition of "shipping container" and "immediate container."

(v) A definition for "capable of use as human food" is added in conformity with the FMIA.

(w) A definition of "processed" is added, adapted from the FMIA for poultry.

(x) and (y) Definitions of "Federal Food, Drug, and Cosmetic Act"; and "pesticide chemical" and related terms are added identical with the definitions of FMIA.

(z) (aa) (bb) The terms "poultry products broker," "renderer," "animal food manufacturer" are added to conform to the definitions of the FMIA to make them apply to poultry products.

(4) Section 5 is amended to provide for the cooperation, assistance, and advice of

appropriate State agencies and other departments and agencies of the Federal Government, deleting present provisions in Section 5 of the Act for designation of major consuming areas for intrastate activities.

(a) The policy of Congress is stated to be the protection of the consumer from adulterated or misbranded poultry and poultry products. To further this policy:

(1) The Secretary is authorized to enter into arrangements with State agencies, and other departments and agencies of the Federal Government to carry out the provisions of the Act.

(2) The Secretary is authorized to appoint advisory committees consisting of representatives of State agencies, consumers, and the poultry industry to advise him concerning means of increasing effectiveness of the program. Committees must include a majority of consumers. Notice shall be given of meetings, and minutes or transcripts kept.

(3) The Secretary is authorized to develop or arrange for training programs for personnel engaged in carrying out programs under the Act, and education programs for those in industry, and other related educational activities.

(4) The Secretary is authorized to use by agreement the officers, employees and facilities of any State and Federal agencies.

(b) (1) Upon application by the Governor, the Secretary is authorized to exempt from the provisions of this Act states which have State laws at least equal in scope and content to the Federal laws, as well as such other characteristics as are prescribed by the Secretary.

(2) The Secretary is authorized to provide exempted States with advisory assistance, technical and laboratory assistance, training, financial, and other aid for administration of the program. The Federal Contribution is not to exceed 50% of the total cost of the cooperative program, with the States providing the remaining funds.

(3) This section specifies that the State agency with which the Secretary may cooperate may include State and municipal or other subordinate government units when these are involved in activities under the Act.

(4) The Secretary is authorized to terminate exemptions of States upon finding that they are failing to administer the program in accordance with the Federal standards. The Secretary is authorized to notify the Governor of such a fact, and to terminate the exemption after thirty days, unless the findings change within this time period, in which case the exemption may remain.

(5) Even in states exempted under the Act, the Secretary is authorized, upon finding that a processing plant is producing adulterated poultry products injurious to public health, to notify the Governor and advisory committee of the finding. If, after a reasonable time, the State has not taken action, the Secretary may withdraw the exemption from the establishment, and it will be subject to the requirements of the Title.

(6) When the exemption is withdrawn, the Secretary is authorized to establish inspection procedures under the Act for poultry processors distributing their products within the State.

(7) The Secretary is authorized to provide an annual review of the State programs under this section, and to report on them.

(c) "State" is redefined to include the Commonwealth of Puerto Rico, organized territories, and the District of Columbia.

(5) The heading of Section 5 is amended to read "Cooperation and Utilization of State and Other Federal Agencies; Exemption Authorized for Intrastate Activities."

(6) and (7) Section 6 is amended to conform to language contained in amendments made by the bill, including adding the phrase "capable of use as human food" to quality

"poultry products" in the provisions for quarantine, segregation, and reinspection.

(8) Section 7 is amended editorially to conform to other amendments.

(9) Section 8 dealing with labeling requirements is amended to conform generally to the FMIA, except for editorial changes needed to make it relevant to poultry products. The single exception is that the Secretary is given authority to require specified information not only on the products "or" their containers, but on the products "and" their containers.

(a) This paragraph is amended as to labeling information to be required. The present Act specifies certain items required to appear on the shipping container and more extensive information for the immediate container. Under the revised section, information necessary under the definition of "misbranded" would appear on the poultry product itself, under certain circumstances, and on the shipping containers and immediate containers. The present inspection mark could continue to be used.

(b) The Secretary would be authorized to prescribe styles and sizes of type of required label information, and to prescribe standards of identity, composition, and fill of containers.

(c) The sale of articles subject to the Act under a false or misleading name or in containers of false or misleading form or size is prohibited. The use of approved labeling and containers is permitted. Similar provisions are in present paragraph 8(b).

(d) The Secretary is authorized to order labeling of containers be withheld from use if there is reason to believe they are false or misleading, and to provide for administrative hearing and judicial review. This provision is essentially the same as in paragraph 8(b) of the present Act, except that it includes authority to prevent use of containers of a false or misleading form or size.

(10) Section 9 is amended to delete the principal prohibition now in the Act, and substitute prohibitions like those in the FMIA plus others adapted from the present PPIA, and to make necessary editorial changes. Under the revised section it would be unlawful to:

(1) Slaughter or process poultry and poultry products capable of use as human food except in compliance with the requirements of the Act. (This clarifies a prohibition now in paragraph 9(a) of the Act with respect to processing.)

(2) Introduce or deliver for introduction, sell, transport, offer for sale or transportation, or receive or otherwise dispose for transportation or store (A) adulterated or misbranded poultry products capable of use as human food; or (B) poultry products required to be inspected unless they have been inspected and passed.

(3) Adulterate or misbrand poultry products capable of use as human food while they are being held for storage or for transportation or being transported or held for sale.

(Clause (2)(A) and Clause (3) replace comparable prohibitions in paragraphs 9(a), (b), and (d) and Section 16 of the present Act with respect to mislabeled or unwholesome or adulterated articles, and extends coverage into areas now included only in the Federal Food, Drug, and Cosmetic Act. Clause (2)(B) preserves prohibitions now in paragraph 9(a) concerning distribution of poultry products that have not been inspected.)

(4) Sell, transport, offer for sale or transportation, or receive for transportation articles not qualifying under the present definition of "poultry products", principally "New York dressed poultry."

(5) Use to his own advantage or reveal except under certain conditions, information entitled to protection as a trade secret. (This clarifies and slightly relieves the present prohibition in paragraph 9(h) of the Act.)

(6), (7), (8), (9) Make, simulate, forge,

alter, counterfeit, possess, alter, detach, deface or destroy official marks, devices, or certificates, except as authorized by the Secretary.

(10) Knowingly possess any of the above, without notifying the Secretary or his representative;

(11) Make false statements on certificates;

(12) Knowingly represent that an article has been inspected and passed or exempted when it has not.

(Paragraphs 6-12 clarify and expand upon prohibitions contained in paragraphs 9(c) and (e) of the Acts which contain similar provisions, except as to false statements in certificates).

(11) Section 10 is amended to conform to other amendments.

(12) Section 11 is amended to delete the present record requirements, and substitute the records and other provisions of Title II of the FMIA.

(a) A new paragraph is added, limiting inspection under the Act to poultry and poultry products intended for use as human food. Denaturing or other identification is required for products not for human consumption before they can be distributed or imported.

(b) A new paragraph requires record-keeping and full and correct disclosure of business transaction by those who slaughter, process, freeze, package, label, buy, sell, transport, deliver, store, ship, import, receive or render poultry and poultry products. In addition, at reasonable times such persons would be required to give access to representatives of the Secretary to their places of business, their records, facilities, and inventories, and to take samples of their inventories upon payment, whether under the Act, or in an exempted State.

(c) A new paragraph would authorize the Secretary to require registration of persons engaged in business as poultry and poultry products brokers, renderers, animal food manufacturers, wholesalers or public warehousemen of poultry carcasses, etc., and persons engaged in the business of buying, selling or transporting or importing 4 D (dead, dying, diseased, disabled) or parts of carcasses of poultry that died otherwise than by slaughter.

(d) A new paragraph would prohibit those mentioned in (c) above from making business transactions, except in accordance with the Secretary's regulations.

(13) The heading of Section 11 is amended to read: "Products Not Intended for Human Food; Records and Related Requirements."

(14) Section 12 relating to penalties is amended by substituting provisions adapted from Section 406 of the FMIA; by making editorial changes in paragraph 12(b); and by adding as 12(c) prohibitions and penalties like those in Section 405 of the FMIA relating to forcible assaults, etc. against persons performing official duties under the PPIA.

(15) Section 14 of the Act is amended to add authority for the Secretary to regulate standards of sanitation, quality control, storage, and handling, in consultation with an advisory committee, for persons engaged in processing, shipping and storing poultry and poultry products.

(16) The heading of Section 14 is amended to read: "Standards for Storage and Handling; Rules and Regulations."

(17) Section 15 relating to exemptions is amended by (a) deleting the poultry producer exemption authority now contained in paragraph 15(a)(1) (a more restricted exemption is provided in new paragraph 15(c));

(b) deleting the exemption authority given the Secretary by Section 15(a)(3) in cases of impracticability;

(c) preserving and redesignating as paragraph (a)(1) the exemption authority to retail dealers now contained in paragraph 15(a)(2); redesignating as paragraph 15(a)

(2) the religious exemption provisions now contained in paragraph 15(a)(4);

(d) redesignating as (f) present paragraph (b) relating to suspension or termination of exemptions and adding new paragraphs (b), (c), (d), and (e) to the Act:

"(b) The Secretary is authorized to exempt from inspection slaughter of poultry and processing of poultry products in any unorganized territory for distribution therein, when he finds it is impractical to provide such inspection. (This is the same as paragraph 23(b) of the FMIA except for editorial changes.)

"(c) The Secretary may exclude from the inspection requirements of the Act slaughter and processing by persons using products of their own raising, for use by them, their family, their nonpaying guests and employees; and custom slaughterers who do not engage in buying or selling poultry products capable of use as human food. (This is the same as paragraph 23(a) of the FMIA except for editorial changes.)

"(d) The adulteration and misbranding provisions apply to articles exempted or excluded from the inspection requirements.

"(e) A subsection states that under such regulations as the Secretary may prescribe to protect the public health, slaughter and processing of poultry normally conducted at retail stores and restaurants for sale at normal retail quantities may be exempted.

"(f) When exemptions are granted, the Secretary shall keep written records showing why the exemption is granted, and to make these records available for inspection."

(18) Section 16 is amended to give the Secretary authority to limit entry of poultry products into official establishments.

(19) Section 17 relating to imports is amended to conform to provisions in Section 20 of the FMIA.

(a) Importation of adulterated or misbranded poultry products capable of use as human food is prohibited; as is importation unless they comply with all the inspection, building construction standards and other provisions of the Act and regulations thereunder applicable to such articles in domestic commerce. An exception is made for imports not in excess of 50 pounds by persons for their own consumption.

(b) The Secretary is authorized to provide for destruction of articles imported contrary to the Act unless they are exported, or, if misbranded, brought into compliance with the Act under official supervision, instead of being exported.

(c) The provisions of paragraph 17(c) of the PPIA are expanded relating to assessment for storage, cartage and labor charges against the owner or consignee of products refused admission.

(d) Knowing importation in violation of these provisions is prohibited.

(20) Section 18 is amended to delete present provisions relating to jurisdiction of the Secretary in cooperation with other branches of government and State agencies, and substitute provisions of the FMIA for refusal of withdrawal of the Inspection Service under the Act.

(a) A new provision would authorize withdrawal or refusal of inspection service under the Act for any establishment, if it is determined that the applicant or recipient is determined to be unfit to engage in business, or if someone responsibly connected with him is determined unfit. Unfit persons can include persons convicted within the previous ten years of felonies or more than one misdemeanor relating to food; or felonies involving acts indicating a lack of integrity needed to conduct the operations affecting the public health.

(b) A new provision would provide opportunity for hearing, upon request by adversely affected processors, in cases where inspection service has been withdrawn or refused because of failure to destroy con-

demned poultry products or otherwise comply with requirements under Section 7 of the Act. However, the withdrawal or refusal would continue unless otherwise ordered by the Secretary.

(c) A new provision would call for judicial review of orders in proceedings within paragraphs (a) and (b).

(21) The first sentence of Section 19 is amended to clarify the circumstances under which the cost of inspection shall be borne by the United States.

(22) The heading of Section 18 is amended to read: "Authority of Secretary To Refuse Inspection Service."

(23) Sections 20-22 are redesignated as Sections 27 through 30 respectively, and new sections and headings are inserted.

(a) A new Section 19 authorizes administrative detention by the Secretary of Agriculture's representative of poultry products and other articles and 4-D poultry if found on specified premises, and there is reason to believe that such products are adulterated, misbranded, uninspected, in violation of Federal or other laws, or are intended to be distributed in violation of such laws and are capable of use as human food.

(b) A new Section 20 authorizes judicial proceedings for seizure and condemnation of poultry found to be in violation of the Act as mentioned in (a) above.

(c) A new Section 21 would give specified courts jurisdiction over actions to enjoin violation and certain other cases under the Act.

(d) A new Section 22 would incorporate by reference provisions of the Federal Trade Commission and Communications Acts, authorizing requirement of reports, administrative subpoenas, and conferring other investigative and hearing powers.

(e) A new Section 23 would exempt poultry and poultry products to the extent they are covered by the provisions of this Act from the provisions of the Federal Food, Drug, and Cosmetics Act. This would not exempt them from liability under State negligence laws, however.

(f) A new Section 24 states that no jurisdiction may impose requirements different than these under the Title, but that they may exercise concurrent jurisdiction, except with respect to record-keeping.

(g) A new Section 25 provides for inspection of grain and other commodities used as poultry feed.

(1) Subsection (a) authorizes the Secretary to investigate the handling, processing, transporting, storage and use of poultry feed and to establish sanitation and health standards to insure the consuming public against diseased poultry.

(2) Subsection (b) states that distribution of uninspected feed is prohibited.

(3) Subsection (c) gives the Secretary the authority to exempt from the inspection provisions those whom it would be impractical to inspect.

(4) Subsection (d) prohibits violation and prescribes penalties.

(5) Subsection (e) states that these provisions are in addition to the authority of the Secretary under the United States Grain Standards Act, and the authority of the Secretary of Health, Education, and Welfare under the Federal Food, Drug, and Cosmetic Act.

(g) A new Section 26 calls for Annual Reports to Congressional Committees similar to the provisions of the FMIA.

Reports are to be submitted to the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture and Forestry of the Senate on the effectiveness of operations of State programs granted exemptions under Section 5, and the administration of Section 17 of the Act relating to imports.

Sec. 102. This section contains the usual savings provision to apply in the case of partial invalidity of the bill.

Sec. 103. This section provides that the bill shall become effective immediately upon enactment except for the adulteration and misbranding provision, import provisions, amendments of exemptions provision, and provisions relating to 4-D poultry, all of which would become effective 60 days after enactment.

TITLE II.—MANDATORY FEDERAL INSPECTION AND GRADING PROGRAM FOR EGGS AND EGG PRODUCTS

Section 201.—Findings and Statement of Purpose.—In order to protect the consuming public, avoid adverse effects on marketing, and avoid losses to egg producers and processors of egg products, it is necessary to provide for a mandatory inspection and grading program for egg and egg products, whether or not they enter into the current of foreign or interstate commerce.

Section 202.—Definitions.—The definitions of this section include language like that of Title I, modified to include egg and egg products.

(a) The term "egg product" is defined to include the yolk and albumen from the egg or any portion thereof or mixture, with or without added ingredients, and whether or not further processed, exception products which contain egg products only in a relatively small proportion.

(b) The term "egg" is defined to mean the shell eggs of domesticated chickens, turkeys, ducks, geese, or guineas. In addition, the following classifications of eggs are defined:

(1) "check" to mean eggs with broken or cracked shells;

(2) "clean and sound shell eggs" to mean eggs with shells free of adhering dirt or foreign material, and not cracked or broken;

(3) "dirty eggs" to mean eggs with unbroken shells with dirt or foreign materials;

(4) "incubator rejects" to mean eggs subject to incubation, but rejected as infertile or otherwise unhatchable;

(5) "inedible" to include black rots, yellow rots, white rots, mixed rots (addled eggs), sour eggs, eggs with green whites, eggs with stuck yolks, moldy eggs, misty eggs, eggs showing blood rings, eggs containing embryo chicks (at or beyond the blood ring stage), and any adulterated eggs;

(6) "Leaker or leaking" to mean eggs with cracks or breaks in shells and shell membranes such that contents are exposed or exuding or free to exude through the shell;

(7) "loss" to mean eggs inedible, smashed, cooked, frozen, contaminated, or leaking or incubator reject; or that contain bloody whites, or other large quantities of blood, large meat spots, or other foreign material;

(c) The term "grading" is added to mean determination of the class, quality, quantity, or condition of any product; and the act of identifying such product by means of an official identification symbol;

(d) The term "processed" and "processing" is added to mean breaking, filtering, mixing, blending, pasteurizing, stabilizing, cooling, freezing, drying, or packing or otherwise manufacturing, preparing or processing eggs.

(e) Deleted are terms inapplicable to the egg industry, including "broker," "renderer," and "animal food manufacturer."

(f) The terms "pasteurize" and "pasteurization" are added to mean the process prescribed in regulation of the Secretary for destroying harmful, viable micro-organisms in egg products.

(g) The term "egg handler" is added to mean persons producing, buying, selling, processing, shipping, or receiving eggs or egg products, or otherwise handling them for commercial purposes.

Section 203. Inspection and Grading Program for Egg Products; Re-inspection and Quarantine; Seizure and Condemnation; Administrative Detention.—The provisions of this Title are much like similar provisions in Title I, amended Sections 19 and 20.

(a) The Secretary is authorized and directed to formulate and carry out an inspection and grading program for all eggs and egg products intended for human consumption, whether they are in interstate, or foreign commerce, or travel through intrastate commerce.

(b) The Secretary is authorized to quarantine, segregate, seize, or re-inspect such products as he deems necessary.

(c) In order to prevent the sale or transportation of eggs capable of use as human food, but which are dirty, chick, leakers, incubator rejects, loss or inedible, the Secretary shall:

(1) Promulgate standards and regulations to prohibit sale; and see that premises are inspected;

(2) Promulgate regulations to prohibit purchase, except when denatured or decharacterized;

(3) Promulgate regulations to prohibit purchase, possession or use of such eggs by restaurants, other food service and food manufacturing plants;

(d) In order to prevent sale to consumers of incubator rejects, the Secretary shall inspect hatcheries and other establishments, to present use of such eggs as human food, and to require denaturing or decharacterization.

(e) Inspection is not to be provided for egg product processors processing eggs not intended for use as human food. On the other hand, such products are required to be rendered inedible under regulations prescribed by the Secretary.

(f) The Secretary is authorized to provide for the sampling, detention, and re-inspection of egg products at processing establishments. Adulterated egg products are required to be destroyed, unless they can be unadulterated for use as food products. An appeal procedure also is provided.

(g) L. Administrative detention of adulterated or misbranded products is provided for up to twenty days.

2. Seizure and condemnation of products being processed, sold, transported, or otherwise distributed; or adulterated or misbranded; or otherwise in violation of this Title is provided for under specified legal procedures. Procedures for disposal of such condemned products are included.

3. No provisions of this section are to conflict or derogate from other condemnation or seizure authority conferred by other laws or other provisions of this Title.

Section 204. Sanitation, Facilities, and Practices.—

(a) Each official establishment is to be operated in accordance with standards as are required by the Secretary to prevent marketing or transportation of adulterated or misbranded egg products.

(b) No establishment processing egg products for human consumption shall do so except in compliance with the requirements of this Title.

(c) The Secretary shall refuse to give inspection or grading to establishments whose facilities and buildings, and equipment, and operations fail to meet the requirements of this Section.

Section 205. Labeling.—This Section is the same as Section 8, Title I, as amended, with the exception of editorial changes needed to make it relate to egg and egg products.

Section 206. Imports.—This Section is the same as Section 17, Title I, as amended, with the exception of editorial changes needed to make it relate to egg and egg products.

Section 207. Prohibited Acts.—This Section is the same as Section 9, Title I, as amended, with editorial changes needed to make it conform to egg and egg products. This includes changes of wording, and the omission of Section 9(4) of Title I.

Section 208. Penalties.—This Section is written to correspond to Section 12, Title I, as amended.

Section 209. Record and Related Require-

ments.—This provision is like Section 11(b), Title I, with the exception of changes needed to make the requirements applicable to egg and egg products.

Section 210. Reporting of Violations.—This Section, like Section 13 of the Poultry Products Inspection Act, requires reasonable notice to persons suspected to be in violation of this Act before proceedings are instituted. Furthermore, the Secretary continues to be authorized to give notice of warning of suspected violation when he thinks this would adequately serve the public interest.

Section 211. Exemptions.—

(a) As in Section 15(b) as amended, of Title I, the Secretary may provide an exemption for products in territories not organized into legislative bodies solely for distribution within such territory if it is impracticable to provide such inspection.

(b) Exemption is provided for persons raising eggs on their own farms or processing egg products for the use of themselves, members of their families, non-paying guests, and employees, or for sale directly to household consumers.

(c) As in Section 15(d) as amended, of Title I, the adulteration and misbranding provisions apply to exempted products.

(d) The Secretary may suspend or terminate exemptions.

(e) When exemptions are granted, the Secretary shall keep written records showing why the exemption is granted, and make these records available for inspection.

Section 212. Standards for Storage and Handling.—This section is written to conform to Section 14, Title I, as amended, with the exception of editorial changes needed to make it conform to egg and egg products.

The Secretary is authorized to prescribe regulations and standards of sanitation and quality control for processing, storing, and handling, to prevent adulteration or misbranding, with an advisory committee. The Secretary is further authorized to publish these regulations in the Federal Register; six months after the code has been published, the provisions will become effective, with the exception of retail stores or other establishments regulated under state or territorial law.

Section 213. Cooperation and Utilization of State and Other Federal Agencies; Exemption authorized for Intrastate Activities.—This section corresponds and parallels Section 5, Title I, as amended, with the exception of editorial changes needed to make it conform to egg and egg product inspection.

Section 214. Cost of Inspection and Grading.—This section is like Section 19 of the Poultry Products Inspection Act, providing that cost of inspection shall be borne by the United States, except for over-time and holiday work. Reimbursements to the Secretary are to be available without fiscal year limitation to carry out the programs under this Act.

Section 215. Annual Reports to Congressional Committees.—This section reads exactly as does Section 26, as amended, of Title I with the exception of editorial changes needed to make it relate to egg and egg products.

Section 216. Court Jurisdictions; Prevention and Restraint of Violations.—This section is like Section 21, Title I.

Section 217. Additional Authority for Administration and Enforcement of Title.—This section reads as does Section 22 of Title I.

Section 218. Uniform Requirements.—

(a) No state or territory or District of Columbia, may impose requirements within the scope of the title that are different from the title, except for recordkeeping and other requirements within the scope of Section 209, but they may exercise concurrent jurisdiction over eggs and egg products.

(b) No state or subdivision, territory, or District of Columbia may establish mandatory standards, grades, or weights for eggs or

other standards, consumer grades, or weight classes different from those under this Title.

Section 219. Effect on Other Laws.—This Section reads as does Section 23 of Title I as amended, with the exception of editorial changes needed to make it correspond to egg and egg products.

Section 220. Rules and Regulations; Applicability of Title.—This paragraph, like the amended Section 14 of Title I, provides that the Secretary shall promulgate such rules and regulations as are necessary to carry out the provisions of the Act, and shall be effective in the states, District of Columbia, Puerto Rico, and the Virgin Islands.

Section 221. Authorization for Appropriations.—Like Section 20 of the Poultry Product Inspection Act, this Section provides for authorization of such sums as are necessary to carry out the provisions of the Title.

Section 222. Separability of Provisions.—As does Section 102 of Title I, this provision contains the usual savings clause concerning the validity of remaining portions of the Act should any part of it become invalid.

Section 223. Effective Date.—The Title takes effect immediately upon enactment, except that it does not become effective for 180 days after enactment, except for those people whose applications for inspection are approved. In the meantime, the voluntary inspection and grading in effect under the Agricultural Marketing Act is to continue in effect.

TITLE III.—MANDATORY INSPECTION OF FISH AND FISH PRODUCTS

Section 301. Statement of Findings and Purpose.—In order to protect the consuming public, avoid adverse effects on marketing of fish, and avoid losses to fishermen and processors, it is necessary to provide for mandatory inspection programs for fish and fish products, whether or not they enter into the channels of interstate or foreign commerce.

Section 302. Definitions.—The definition section is written to conform to the amended definition section of Title I, with editorial changes and definitional changes needed to make the section apply to fish and fish products.

(a) "Fish" is defined to mean any aquatic animal including amphibians or part thereof capable of use as human food.

(b) "Fish product" is defined to mean any product capable of use as human food which is made wholly or in part from fish or parts thereof, except those products exempted from the definition by the Secretary.

(c) The terms "processed" and "processing" mean the harvesting, handling, storing, preparation, production, manufacture, preservation, packing, storing, or holding of any fish or fish product.

(d) The term "fishing vessel" means watercraft involved in landing and processing fish for human consumption.

Section 303. Authorization for fish and fish product inspection; Establishment of Task Force.—

(a) The Secretary is authorized to develop a comprehensive inspection program for fish and fish products.

(b) The Secretary is authorized within thirty days of enactment of the title to convene a task force consisting of the representatives of relevant Federal agencies, the fishing industry, and consumers.

(c) The Task Force will, within six months, formulate a program providing for the mandatory inspection of all domestic fish and fish products. The program shall include:

(1) Minimum standards or requirements for sanitation, equipment, and practices for fishing vessels and fish processors to assure that products are not adulterated, misbranded, and are suitable for human consumption.

(2) Minimum standards of quality and good manufacturing processes for processing of fish, and for storage and handling;

(3) Continuous inspection of fish process-

ing plants, and adequate inspection of domestic fishing vessels;

(4) Means for assuring that imported fish products meet the standards and requirements applicable to domestic fish;

(d) The Secretary is to publish these regulations in the Federal Register not more than six months after the date of enactment of the Title.

Section 304. Effective Date for Inspection Program.—The program shall become effective six months after the regulations are published.

Section 305. Powers for Administration and Enforcement of the Inspection Program.—The Secretary of Agriculture is given the following powers:

(a) **Inspection.** The Secretary is authorized to inspect fishing vessels and establishments, and to quarantine, segregate, seize, or reinspect such products as he deems necessary. Inspectors shall have access to establishments and vessels.

(b) **Sanitation, Facilities, and Practices.** This section is patterned after Section 204, Title II.

(1) Official establishments and fishing vessels to be inspected are required to operate under such practices and regulations as are promulgated by the Secretary to prevent adulterated or misbranded fish products.

(2) Processing, except in compliance with the requirements of the Title, is prohibited.

(3) The Secretary shall refuse to render inspection service to establishments or fishing vessels which do not meet the requirements of the Title.

(c) **Certification.** The Secretary is to issue certificates of registration, upon application by vessels and processors, and assurance that standards will be maintained. After thirty days, no person shall process fish or fish products unless such a certificate is in effect. The Secretary may deny certification, and such denial shall be subject to hearing in judicial review.

(d) (1) **Withdrawal, Suspension and Reinstatement of Certificates.**—Withdrawal of registration is permitted after the opportunity for hearing. Immediate suspension is authorized for failure to permit access for inspection, or failure to comply with an order for condemnation or detention, or where imminent harm to the consumer might result from continued operation in violation with provisions of this Title. Application is permitted at any time for reinstatement, and the Secretary is authorized to grant immediate reinstatement if he finds that standards are being met. Review of suspension is provided.

(2) The Secretary is authorized to refuse to issue certificates of registration or to revoke or suspend such certificates, upon determination that the applicant or holder is unfit to engage in business because of a) having committed and been convicted of a felony or more than one misdemeanor related to food or fraud in connection with food, or b) felonies involving acts which indicate a lack of integrity needed to conduct operations affecting public health.

(3) Refusal to issue a certificate of registration is to be subject to the opportunity for hearing in judicial review.

(e) **Seizure.** The Secretary is authorized to provide for sampling, detention, and reinspection of fish or fish products at processing establishments and fishing vessels. Products found adulterated shall be immediately condemned and destroyed, but those which could be made non-adulterated by reprocessing need not be so condemned. An appeal procedure is also provided for.

(f) **Administrative Detention.** (1) Fish or fish products found to be adulterated, misbranded, or not inspected and intended to be or having been distributed in violation of this title may be detained by representatives of the Secretary for periods not to exceed

twenty days pending action or notification from appropriate authorities.

(2) Products processed, sold, transported, or otherwise distributed; capable for use as human food and adulterated or misbranded; or in any other way in violation of the Title shall be liable to seizure, condemnation, under procedures outlined in this Section. Payment for court costs, fees, storage and other expenses shall be made by claimants of products.

(3) Condemnation and seizure authority conferred by other provisions of this Title, or other laws is not derogated by this subsection.

(4) To the extent the provisions of this Title apply, fish and fish products shall be exempt from provisions of the Federal Food, Drug and Cosmetic Act.

(g) **Articles Not Intended for Human Food.** Inspection shall not be provided except at vessels and establishments processing fish for human consumption, but fish not intended for human consumption is to be denatured, or otherwise rendered inedible and identified according to regulations of the Secretary. (Sections (d), (e), (f) and (g) are patterned after Sections 19 and 20 for Title I, and Section 203, Title II.)

(h) **Labeling.** This section is like Section 205 of Title II and the amended Section 8 of Title I, with the exception of changes needed to make it apply to fish and fish products.

(i) **Imports.** This section is written generally to correspond to Section 206 of Title II and to the amended Section 17 of Title I, with the exception of editorial changes needed to make it correspond to fish and fish products. Importation is limited to specified ports of entry.

(j) **Prohibited acts.** This section is like Section 207 of Title II and the amended Section 9 of Title I, with the exception of editorial changes needed to make it apply to fish and fish products.

(k) **Penalties.** This section corresponds to Section 208 of Title II and the amended Section 12 of Title I, with the exception of editorial changes needed to make it correspond to fish and fish products.

(l) **Record and related requirements.** This section corresponds to Section 209 of Title II, and the amended Section 11 of Title I, with the exception of editorial changes needed to make it refer to fish and fish products.

(m) **Reporting of Violations.** This section corresponds to Section 210, Title II and Section 13 of Title I.

(n) **Exemptions.** (1) Retail dealers selling fish and fish products directly to consumers and who process fish at their stores, are exempted from the provisions of this Title, under such regulations and standards as prescribed by the Secretary.

(2) Those processing fish in territories not organized with a legislative body, solely for distribution within that territory may also be exempted.

(3) Products processed exclusively for use by him and the members of his household and nonpaying guests and employees are exempted.

(4) The adulteration and misbranding provisions are applied to exempted fish and fish products except as otherwise specified.

(5) The Secretary may suspend or terminate exemptions.

(6) When exemptions are granted, the Secretary shall keep written records showing why the exemption is granted, and make these records available for inspection.

(o) **Effect on Other Laws.** Provisions of this title do not derogate from authority given by the Federal Food, Drug and Cosmetic Act; the Fair Packaging and Labeling Act; and the Public Health Service Act; or other acts.

(p) **Cooperation and Utilization of State and Other Federal Agencies.** This paragraph,

like Section 213 of Title II, and the amended Section 5 of Title I, provides for relationships with other federal agencies and State Governments. Editorial changes are made as needed.

(q) *Exemption for Intrastate Activities.* This section also is included within the scope of Section 213, Title II, and the amended Section 5 of Title I, with necessary editorial changes.

(r) *Cost of Inspection.* This Section corresponds to Section 214, Title II and to Section 19 of Title I amended, adopted to fish processing establishments and vessels.

(s) *Annual Reports to Congressional Committees.* This Section corresponds to Section 215, Title II, and to the amended Section 26 of Title I, with editorial changes needed to make it correspond to fish.

(t) *Court Jurisdiction; Prevention and Restraint of Violations.* This section corresponds to Section 216, Title II and to Section 21 of Title I.

(u) *Additional Authority for Administration and Enforcement of Title.* This section corresponds to Section 217 of Title II and to the amended Section 22 of Title I.

Section 306. *Fishery Extension Service.* (a) The Secretary is authorized to establish fishery extension service within the Department of Agriculture to attain and disseminate practical information about commercial fishing operations.

(b) The Secretary is authorized to carry this out in the most effective manner, including cooperation with colleges and universities, and coordination of activities with State programs and those of the Bureau of Commercial Fisheries.

(c) The Extension work shall consist of giving instruction and practical demonstrations in commercial fishing, processing, marketing, and disseminating information.

Section 307. *Technical Assistance Grants.* (a) The Secretary is authorized to make technical assistance grants to help the fisheries industry meet the standards to be imposed under this Title.

(b) The Secretary is authorized to make technical assistance grants to fishery cooperatives, marketing associations, and other private agencies and organizations to implement technological improvements for demonstration purposes.

(c) Factors to be considered in making grants under this section are to include the amount of money available, the number of applicants, the financial condition of the applicant, and the benefits to be expected.

(d) Payments may be in advance or by reimbursement.

(e) The services, facilities, and personnel of the Bureau of Commercial Fisheries may be used, with the consent and cooperation of the Secretary of the Interior.

Section 308. *Rules and Regulations; Applicability of Title.*—This, like Section 220, Title II, and Section 14 of Title I, gives the authority to the Secretary to make necessary rules and regulations.

Section 309. *Effect on Existing Federal Fish Inspection Programs.*—Existing programs are to remain in effect until the effective date for the mandatory inspection program under this Title.

Section 310. *Authorization for appropriations.*—Sums necessary to carry out the provisions of this Title are to be appropriated.

Section 311. *Separability of Provisions.*—Like Section 222, Title II and Section 102 of Title I, this Section provides that if part of the statute is held invalid, the provisions of the rest of the title will remain in force.

ADDITIONAL COSPONSORS OF BILLS

Mr. SCOTT. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey [Mr. CASE] and the Senator

from Wisconsin [Mr. NELSON] be added as cosponsors of the bill, S. 3354, to authorize the coinage of 50-cent pieces in recognition of the outstanding services of the Reverend Dr. Martin Luther King, Jr., to the cause of the individual rights and the equality of men.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin [Mr. NELSON], I ask unanimous consent that, at its next printing, the name of the Senator from Kansas [Mr. PEARSON] be added as a cosponsor of the bill, S. 1567, to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide an alternate method of making loans for acquisition and improvements of the farm, needed by farm families, including young farmers, and to provide the borrower family with adequate standards of living and the consumer with reasonable prices for dairy and other agricultural products, as well as to maintain and improve national health; and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Oregon [Mr. MORSE] and the Senator from Wisconsin [Mr. NELSON] be added as cosponsors of the bills, S. 3349 and S. 3350, the cold war GI amendments bills to give cold war GI veterans educational opportunities equal to those enjoyed by the Korean conflict veterans under the Korean conflict GI bill.

The present cold war GI veterans are not given educational opportunities in flight training or on-the-farm training equal to those enjoyed by the Korean GI veterans and are not given the number of days credit equal to those enjoyed by the Korean GI.

The measures are designed to bring the cold war GI's into equality with the Korean GI veterans.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, I also ask unanimous consent that, at its next printing, the name of the junior Senator from New York [Mr. KENNEDY] be added as a cosponsor of the bill, S. 2864, the Occupational Safety and Health Act of 1968, which would assure safe and healthful working conditions for the working men and women of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF TITLE I OF THE LAND AND WATER CONSERVATION FUND ACT OF 1965—AMENDMENTS

AMENDMENT NO. 707

Mr. MORSE submitted amendments, intended to be proposed by him, to the bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes, which were ordered to lie on the table and to be printed.

(See reference to the above amendment when submitted by Mr. MORSE,

which appears under a separate heading.)

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

G. Mennen Williams, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Philippines.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

SERVICEMEN SHOULD BE PROTECTED FROM SLICK OPERATORS

Mr. YOUNG of Ohio. Mr. President, even in Vietnam where more than 25,000 American soldiers have been killed in combat, died of wounds and also many have died from hepatitis, plague, and other jungle diseases; and more than 135,000 have been wounded in combat, yet high-ranking Army officers have permitted some oily American slicksters, unscrupulous salesmen, and smooth unprincipled operators to defraud servicemen. For example, scores of American civilians are engaged in selling stocks to servicemen most of whom have very limited credit sources. On some occasions these stock issues have been highly speculative and of little or no real value. Unfortunately, in some areas officers pocket a 2-percent commission on every sale, supposedly doing this to build up funds for the officers' or enlisted men's clubs. Such financial arrangements should not be tolerated unless fully disclosed to all personnel. A slippery automobile broker was authorized by Air Force officers in Vietnam to take orders for new cars and guarantee delivery of the automobile for which the serviceman had paid to the address requested in the United States. GI's with overseas service expiring a few months hence considered this character was reliable. They paid out the purchase price for the supposedly new automobiles. He pocketed thousands of dollars and then skipped out. Those unfortunate GI's landing in San Francisco will be poorer, wiser—but still walking.

The Secretary of Defense and the generals commanding in Thailand, Vietnam, and elsewhere overseas should bar such operators or at least thoroughly investigate finance companies, sales organizations and individuals seeking to separate GI's on payday from whatever is left over from allotments mailed dependents. Officials of the Defense Department have a definite obligation to provide protection for our officers and men serving their country overseas and in bases in this country.

A surety bond in the sum of at least \$100,000 should be required to be posted for every salesman, or solicitor, so employed. This would afford some protection to our soldiers, sailors, airmen and marines. Any officer permitting soldiers

to be defrauded by ruthless shysters and unscrupulous salesmen should be court-martialed. Creditors and collectors seeking to defraud our servicemen or to compel GI's serving overseas to turn over part of their pay to pay for purchases or debts they incurred should be barred from military bases. Soldiers serving overseas very definitely must be protected.

CIVIL DEFENSE \$10 MILLION EXTRAVAGANCE

Mr. YOUNG of Ohio. Mr. President, last Thursday I denounced the fact that officials in the civil defense division in the Department of Defense had wasted millions of dollars of taxpayers' money in the mailing to millions of citizens of a silly and ridiculous "Home Survey Questionnaire." Supposedly this will enable these high-salaried bureaucrats to inform a homeowner as to how well protected he is in event of a nuclear attack. They know, or should know, as any thinking person does know, that there is no real defense against atomic missiles except for our tremendous power of immediate retaliation and offense with more powerful nuclear intercontinental ballistic missiles aimed at targets within the aggressor nation.

The fact is, that not only do they detract from our national defense effort by utterly wasting taxpayers' money, but also foster the illusion that there is such a thing as a defense against the hydrogen bomb and other deadly atomic weapons. To continue doing this is to render a disservice to all Americans except for those few civil defense characters in the Department of Defense who enjoy fancy salaries while sitting around sending messages to each other and devising costly schemes and fancy propaganda pamphlets while waiting for the bomb to drop.

It would be far better to spend this money in attempts to avert a nuclear holocaust than in absurd little schemes concocted by civil defense bureaucrats who have nothing better to do with their time than to formulate such absurdities. The Nation would be better served if this money were spent for improving homes in slum areas, for the Headstart program for underprivileged children, or for any one of dozens of other projects to improve the welfare of millions of Americans.

This propaganda for fallout shelters is a relic of that era a few years ago that included ridiculous evacuation plans in event of a nuclear attack. These high-salaried civil defense bureaucrats have wasted millions of dollars on food and medicine stockpiled in holes in the ground and in basements, termed fallout shelters, and in countless other insane and wasteful boondoggles.

Mr. President, in the Washington Post of April 22, 1968, there appeared an excellent and very thoughtful editorial entitled "Ten Million Dollar Misunderstanding," strongly critical of this latest folly by civil defense officials. I commend this to my colleagues and ask unanimous consent that it be printed in the RECORD at this point as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 22, 1968]

TEN MILLION DOLLAR MISUNDERSTANDING

On the face of it, there is nothing objectionable in the Army's "Office of Civil Defense" asking two million Washington, Maryland and Virginia families to fill out a "Home Survey Questionnaire." The promise is that by reporting whether your row house is an end or an inner unit, and how high your basement wall rises above the ground, you will learn how well protected from radioactive fallout you would be in a nuclear attack. Does this not lie within the realm of minimal prudence in our dangerous times?

The answer, regrettably, is no. The questionnaire reflects not planning and safety but bureaucratic momentum and illusion. After working through the shelter scare of the early Kennedy years, the country concluded—wisely—that national security could not be found in your basement or in a pit in your back yard. This conclusion was registered in a Congressional-Executive decision to make the shelter program voluntary. Fallout shelters, even if effective against fallout, would not protect against blast or fire storm. Their cost threatened to be immense, raising the divisive question of how to save the poor and the shelterless. It was realized that a shelter program could upset the existing balance of terror, by signaling the enemy a decision to rely no longer on mutual deterrence to keep the peace.

Yet the Army has spent upward of \$10 million on the shelter "inventory" now reaching these environs. Most homes surveyed have been in the less populous areas—although, with missiles buried, the targets are cities. Most of these homes have been labeled "improvable," although the Government has done nothing to "improve" them except mail back a booklet.

Concern for shelters is a relic of our fears in an earlier phase of the nuclear age. We have since come to better terms with our peril, putting our faith in diplomacy, to defuse the political bombs which might explode in war, and in mutual Soviet-American fear of nuclear ruin. The Government should not be asking us how we as individuals have prepared for catastrophe. We should be asking the Government what it has done to avert it.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EQUIPMENT INDEBTEDNESS OF WATER CARRIERS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1076, S. 913.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 913) to amend part III of the Interstate Commerce Act to provide for the recording of trust agreements and other evidences of equipment indebtedness of water carriers, and for other purposes.

The PRESIDING OFFICER. Is there

objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with amendments, on page 2, at the beginning of line 7, strike out "by a carrier subject to this part"; in the same line after the word "commerce" insert "by carrier, whether or not subject to this part"; in line 22, after the word "the" strike out "equipment" and insert "vessel or vessels"; on page 4, line 6, after the word "to" insert "a vessel or vessels of the United States"; in line 9, after the word "carrier" strike out "which holds a certificate of public convenience and necessity or permit issued by the Interstate Commerce Commission," and insert "whether or not subject to part III of the Interstate Commerce Act,"; and in line 17, after the word "so" strike out "provide," and insert "provide, and if such lease or conditional sale is recorded under section 323 of the Interstate Commerce Act,"; so as to make the bill read:

S. 913

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part III of the Interstate Commerce Act, relating to water carriers (49 U.S.C. 901 et seq.), is amended by—

(1) redesignating section 323 (49 U.S.C. 923) as section 324;

(2) inserting therein, immediately after section 322 (49 U.S.C. 922), the following new section:

"RECORDING OF EVIDENCE OF EQUIPMENT INDEBTEDNESS

"SEC. 323. Any mortgage (except mortgages under the Ship Mortgage Act, 1920, as amended), lease, equipment trust agreement, conditional sale agreement, or other instrument evidencing the mortgage, lease, conditional sale, or bailment of one or more vessels, used or intended for use in interstate commerce by a carrier, whether or not subject to this part, or any assignment of rights or interest under any such instrument, or any supplement or amendment to any such instrument or assignment (including any release, discharge, or satisfaction thereof, in whole or in part), may be filed with the Commission, provided such instrument, assignment, supplement, or amendment is in writing, executed by the parties thereto, and acknowledged or verified in accordance with such requirements as the Commission shall prescribe; and any such instrument or other document, when so filed with the Commission, shall constitute notice to and shall be valid and enforceable against all persons including, without limitation, any purchaser from, or mortgagee, creditor, receiver, or trustee in bankruptcy of, the mortgagor, buyer, lessee, or bailee of the vessel or vessels covered thereby, from and after the time such instrument or other document is so filed with the Commission; and such instrument or other document need not be otherwise filed, deposited, registered, or recorded under the provisions of any other law of the United States of America, or of any State (or political subdivision thereof), territory, district, or possession thereof, respecting the filing, deposit, registration, or recordation of such instruments or documents: *Provided, however,* That nothing contained in this section shall, in any way, be construed to alter or amend the Ship Mortgage Act, 1920, as amended. The Commission shall establish and maintain a system for the recordation of each such instrument or document, filed pursuant to the provisions of this section, and shall cause to

be marked or stamped thereon, a consecutive number, as well as the date and hour of such recordation, and shall maintain, open to public inspection, an index of all such instruments or documents, including any assignment, amendment, release, discharge, or satisfaction thereof, and shall record, in such index the names and addresses of the principal debtors, trustees, guarantors and other parties thereto, as well as such other facts as may be necessary to facilitate the determination of the rights of the parties to such transactions."; and

(3) striking out in the section analysis of that part the item relating to section 323, and inserting in lieu thereof the following:

"Sec. 323. Recording of evidences of equipment indebtedness.

"Sec. 324. Separability of provisions."

Sec. 2. Section 116, chapter 10, of the Bankruptcy Act (11 U.S.C. 516) is amended by adding at the end thereof the following new paragraph:

"(6) Notwithstanding any other provisions of this chapter, the title of any owner, whether as trustee or otherwise, to a vessel or vessels of the United States (as the term is defined in the Ship Mortgage Act, 1920, as now in effect or hereafter amended) leased, subleased, or conditionally sold to any water carrier whether or not subject to part III of the Interstate Commerce Act, and any right of such owner or of any other lessor to such water carrier to take possession of such property in compliance with the provisions of any such lease or conditional sale contract shall not be affected by the provisions of this chapter if the terms of such lease or conditional sale so provide, and if such lease or conditional sale is recorded under section 323 of the Interstate Commerce Act."

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the committee amendments be considered and adopted en bloc.

The PRESIDING OFFICER. Without objection, the committee amendments will be considered en bloc.

The amendments were agreed to en bloc.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1094), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purposes of S. 913 is to assist the water carrier industry in the modernization of its floating equipment to better serve the public by enabling such carriers to utilize equipment trust certificate financing in a manner now available to the railroad and airline industries.

SUMMARY OF PRINCIPAL PROVISIONS OF S. 913

Section 1 of S. 913 proposes to amend part III of the Interstate Commerce Act to provide for the recording with the IOC of trust agreements and other evidences of equipment indebtedness of water carriers. Section 1 of this bill is substantially similar to section 20c of the Interstate Commerce Act which now provides for the filing and recording of equipment trust agreements and other evidences of indebtedness of the railroads.

Section 2 of S. 913 proposes to amend section 116 of chapter 10 of the Bankruptcy Act, 11 U.S.C. 516, so as to provide that the provisions of chapter 10 shall not affect the right of the owner of water carrier equipment which is leased, subleased, or condi-

tionally sold to any water carrier to take possession of this equipment if the terms of the lease or conditional sale so provide. This provision is similar to paragraph (5) of section 116, which provides for similar protection to the owners of aircraft, aircraft parts, and so forth, leased or sold to any carrier subject to the jurisdiction of the Civil Aeronautics Board. Similar protection is also afforded to owners of railroad equipment under section 77(j) of the Bankruptcy Act, 11 U.S.C. 205(j).

NEED FOR LEGISLATION

The committee is advised that the water carrier industry is faced with substantial capital expenditures for the replacement of obsolete towboats and barges to provide shippers, consumers, and communities with more modern and efficient towboat and barge equipment.

Legislation similar to S. 913 was enacted many years ago to aid railroad industry financing, and, in 1957, for the benefit of the aviation industry.

The greater security afforded conditional sales vendors and lessors under equipment trust certificate financing made available to the water carrier industry by this proposed legislation, the committee is informed, could result in an increased availability of capital, and at a lower interest rate than would be demanded under present conditions. The existence of similar legislation has enabled rail and air carriers to obtain financing from sources which may not have been otherwise available at such relatively favorable interest rates.

S. 913 would make equipment trust certificate financing available to the water carrier industry by extending the same recordation and limited bankruptcy benefits now available to the railroads and the airlines.

The proposed amendment to part III of the Interstate Commerce Act would provide for the recording of security instruments with the Interstate Commerce Commission in the same manner as equipment trust certificates of the railroads are presently recorded with that Commission and security agreements of the airlines are recorded with the Federal Aviation Administration of the Department of Transportation.

Testimony was received that because towboats and barges move in commerce between many States, it is extremely difficult, if not impossible, for a creditor to protect his security interests unless he records in virtually every county in which the debtor water carrier company operates. The proposed amendment would designate the Interstate Commerce Commission in Washington, D.C., as the single recording office and a creditor desiring to determine whether a particular piece of equipment was subject to such a lien could simply examine the Commission records.

The proposed amendment to section 116 of the Bankruptcy Act, 11 U.S.C. 516, would add a new subsection (6) applicable to regulated water carriers, with language substantially the same as that contained in subsection (5) which was added in 1957 to cover the airlines.

The committee was advised that at the present time, under virtually all financing arrangements available to the water carrier industry, the trustee in a reorganization under chapter 10 of the Bankruptcy Act may elect to keep any and all equipment of the bankrupt to the exclusion of security creditors, if, in the trustee's opinion, the equipment is beneficial to the continued operation of the bankrupt. The result is that even though a creditor continues to retain title to equipment as security for the debt, he would be unable to repossess in the event of default if the trustee finds the equipment is necessary for the operation of the bankrupt's business. The committee was informed that the only procedure now available for

obtaining possession of such water carrier equipment would be a petition for reclamation which must be filed with the Federal district court, and the court's action upon this petition is entirely discretionary. Thus, even though the creditor may hold undisputed title, he would be unable to obtain the property for satisfaction of the defaulted debt. Because a trustee normally would not make payments upon the debt as required by the promissory note or other debt instrument, the testimony indicated that a creditor would find himself, as a practical matter, in somewhat the same position as an unsecured creditor.

The committee was advised that these administrative costs and bankruptcy possibilities are considered by financial institutions in evaluating applications for loans upon marine equipment and in determining what portion of the cost of such equipment will be financed, and at what interest rates. Testimony was presented that investors would look more favorably upon the security offered by equipment trust certificate financing than upon traditional security arrangements and that, as a result, financing would be available at more favorable interest rates.

HEARINGS

Public hearings were held before the Surface Transportation Subcommittee on S. 913 on August 9, 1967.

The Chairman of the Interstate Commerce Commission testified that the Commission would support the enactment of S. 913 because it would benefit both large and small water carriers by reducing the cost of financing and purchasing new floating equipment. He further testified that the Commission is now processing similar evidences of indebtedness for the railroads, and that there would be no difficulty in carrying out the same functions for the water carriers. With some minor modifications, he advised that the Commission's existing regulations applicable to railroad recordings could be made applicable to the water carriers covered under this proposed legislation.

The Commission presently imposes fees for the filing of railroad recordings, in the amount of \$50 for an initial mortgage, and \$10 for any amendment thereof.

Testimony was also presented in support of this proposed legislation by witnesses appearing on behalf of the Common Carrier Conference of Domestic Water Carriers, and by a witness for a securities firm. The Transportation Association of America advised that its board of directors has approved a policy in direct support of S. 913.

No testimony in opposition to S. 913 was presented.

RECESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, with the understanding that the recess not extend beyond 1 p.m. today.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Thereupon (at 12 o'clock and 41 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reconvened at 12:59 p.m., when called to order by the Presiding Officer (Mr. BYRD of Virginia in the chair).

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT JOHNSON'S DECISION NOT TO RUN FOR REELECTION

Mr. LONG of Louisiana. Mr. President, like most other Americans, I believe that President Johnson has demonstrated his great love of country in his decision not to seek or accept reelection for another term as President.

In his action, the President showed to all in this great country that he is a man who is willing to subordinate or discard all personal ambition for the sake of peace and brotherhood.

He has the prayers and best wishes of his fellow countrymen, particularly as he goes about the difficult task of making the peace in Southeast Asia.

In the April 14, 1968, edition of the Shreveport (La.) Times, the distinguished journalist, Raymond Moley, a man who has seen firsthand the exigencies of the Presidency, speaks for the country when he recommends that we "suspend cynicism and grant this man an honored departure from public life."

I ask unanimous consent that the full text of Mr. Moley's recent article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Shreveport Times, Apr. 14, 1968]
NATION OWES IT—PROUD L. B. J. HAS EARNED AN HONORED EXIT

(By Raymond Moley)

In all the news and comment that has followed the President's announcement of his plan to retire, very little attention has been given to the purely personal and human motives for his decision. Perhaps that lack is due to the cynicism that marks our appraisal of the motives of all politicians. And because of that prevailing cynicism, our demands upon those who aspire to or hold public office border on cruelty. We compel them not only to be heard in public meetings or over the airwaves but to be seen, touched, questioned unmercifully and hauled about the country like a dead whale on a flat car.

THE PRICE PAID

Once in office, they are persecuted by people demanding jobs and benefits far beyond the available means. They are abused and threatened by greedy supplicants for favors. Everyone is seeking something that belongs to someone else. We expect our public servants to feed a multitude with a small basket of loaves and fishes.

That is the normal pattern of public life. But these are not normal times. Grave issues disturb the public—perhaps more serious and inflammable than have ever been seen since the Civil War. And since power centers in the President, he would have to bear the more crushing burden in a campaign for renomination and re-election.

His appearance would be greeted this year not by the normal cheering partisan throngs, but by angry demonstrations. And beyond that ordeal in the months to come he would, if elected, face four years with a Congress dominated by a divided party and possibly by a Republican opposition.

Thus, the price of the glory of another term would be excessive, and such glory as

might come from vindication at the polls would be diminished by ultimate frustration and perhaps failure at the end. Such an ordeal might well be far beyond Mr. Johnson's physical capability. He will be 60 in August. He has spent 37 of those years in the turmoil of politics. He has enjoyed high political office and honors well beyond any of his contemporaries. He is also an emotional and proud man.

None of the quieting and philosophical fortitude of a Dwight Eisenhower, a Calvin Collidge or a Herbert Hoover could protect such a nature as Lyndon Johnson's against the vicissitudes of a lengthened public life. When he is attacked, he must counterattack. His impulse is to regard criticism as personal. And in his resistance to opposition and criticism and abuse he would try to spend far more of the vitality than is accorded to the normal individual. His health and his life itself might well be what he would pay for another term.

All this must have been urged upon him by his family and his true personal friends.

FAMILY REASONS

They must have pointed out to him, and he must have realized, that those circumstances should dictate retirement. For he was approaching the fork in the road of his career. The choice of going on to win re-election was cluttered with hazards to his physical constitution and his pride. The other option which he finally took was a lengthened life with his family, his friends and his assurance of an honored place in history.

But his pride remained. And fortunately for him there appeared, before his final decision was made, a glimmer of hope for peace—in part because of signs from Hanoi and in part because of the assurance that a turn in the military situation might be at hand. These offered salvation for his pride. To pursue them, he must be free of the ordeal of seeking another term.

President Johnson's personal reward is already appearing. For nothing he has done in the past two years has so revived his fading popularity. This was visible and audible when he attended the installation of the new archbishop in New York. When he entered the cathedral and when he arose to leave he was applauded—a most unusual demonstration in that holy place. Indeed, it has been said that such applause had only happened there before when Pope Paul visited New York in 1965.

It will be well to suspend cynicism and grant this man an honored departure from public life.

THE OWNERSHIP OF WILDLIFE—A JURISDICTION CONTROVERSY WHICH NEEDS TO BE CLEARED UP

Mr. HANSEN. Mr. President, I am a cosponsor of S. 2951 and S. 3212, both of which would clarify questions of jurisdiction over resident species of fish and wildlife. This question is rapidly coming to a head and it is my opinion that Congress should act as soon as possible to resolve it. Walter Shannon, of California, the president of the International Association of Game, Fish & Conservation Commissioners released a statement at the 33d North American Wildlife and Natural Resources Conference held in Houston, Tex., on March 13, 1968. The purpose of the statement was to clarify the organization's position on the bills which I mentioned, which would confirm the primary authority of the State wildlife agent.

I ask unanimous consent that the statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The International Association of Game, Fish and Conservation Commissioners has for some time been greatly concerned over the continuing trend toward Federal intrusion into the historic and traditional areas of responsibility and jurisdiction of the states in the management of fish and resident wildlife. This gradual usurpation of authority has been greatly accelerated by the opinion of the Solicitor of the Department of the Interior, dated December 1, 1964, which stated, in effect, that the Federal Government has authority superior to that of the states in managing and regulating all fish and wildlife on Federal lands.

If the Federal Government's claim of authority over fish and resident wildlife prevails, then private landowners could conceivably claim a similar right, and the time honored principle of state ownership, regulation and management of fish and resident wildlife would be destroyed. It is the firm and unequivocal conviction of this Association that the ownership of land does not include the ownership of fish and wildlife as claimed by the Solicitor's opinion. Such a doctrine would have an extremely adverse and chaotic effect on the management of fish and wildlife resources in all parts of the Nation.

Since the Solicitor's opinion was issued, all efforts to resolve this controversy through negotiation with the Department of the Interior have, thus far, been unsuccessful. Therefore, legislation has been introduced in the Congress of the United States to reaffirm the traditional rights of the states to the ownership, management and regulation of fish and resident wildlife.

In attempting to resolve this dispute, it should be emphasized and made abundantly clear that the International Association does not desire to change the present status of certain laws and concepts which have to do with the following:

1. Any international treaty involving the regulation of migratory birds.
2. The Rare and Endangered Species Act.
3. The Bald Eagle Act.
4. Rights of Indians and natives of Alaska to hunt and fish as established by treaties or Acts of the Congress.
5. The management of lands or control over wildlife species which have been ceded by any state to the United States.
6. The Federal responsibility for conserving and developing fish and wildlife habitat on Federal lands.

The International Association fully subscribes to the traditional right of a landowner to manage his lands. We agree that the Federal Government has the same rights that any other landowner has under the laws of the respective states.

In summary, the International Association believes that it is imperative that the Congress take prompt action to resolve this jurisdictional controversy by reaffirming the states' rights to manage, regulate and control fish and resident wildlife, on all lands, including those owned by the Federal Government, with certain exceptions. Such a declaration of national policy by the Congress will enable state and Federal conservationists to once again unite and present the common front so vitally needed in the management of the Nation's fish and wildlife resources.

Mr. HANSEN. In addition, Mr. President, the National Wildlife Federation has announced that it will intervene in support of the position taken by the New Mexico State Game Commission in a legal action against the Secretary of Interior Stewart L. Udall and National Park Service officials.

I ask unanimous consent that a news release from the Conservation News of April 1, 1968, entitled "Federation To Intervene in Court Test of Wildlife Ownership," be printed in the RECORD.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

FEDERATION TO INTERVENE IN COURT TEST OF WILDLIFE OWNERSHIP

Convinced that a recent court action in New Mexico is the most serious threat ever made to test the traditional American concept of wildlife ownership, the National Wildlife Federation has announced it will intervene in support of the position taken by the New Mexico State Game Commission. As a "friend of the court," the Federation will seek to uphold the concept that resident wild birds, fish and animals belong to the "people," rather than to the landowner on whose land they happen to reside.

The suit in the U.S. District Court was initiated by the New Mexico state wildlife agency last December against Secretary of the Interior Stewart L. Udall and National Park Service officials. It resulted after Federal employees at Carlsbad Caverns National Park had killed at least 15 deer in direct violation of state laws. The deer were shot, paunches removed, and the carcasses "left to rot" as part of a research project being conducted by Park Service biologists.

New Mexico game officials had offered their assistance in the study, including the issuance of necessary collecting permits and removal of the carcasses for use in state facilities or charitable institutions. Federal authorities, however, refused state assistance and maintained state laws did not apply on Federal property. They based their court defense on a law giving the Secretary of the Interior authority to destroy wildlife that is detrimental to the use of the parks.

Federal District Court Judge H. Vearle Payne ruled March 12 in favor of the state's position. In his decision, Judge Payne said, "No showing has been made that the deer involved are detrimental to the use of the park" and "... the defendants should be restrained and enjoined from the further killing of wildlife within the boundaries of Carlsbad Caverns National Park for the purpose of conducting a research study, unless they first secure authority for their acts by compliance with state law."

State officials expect the District Court's decision will be appealed to a higher court. If and when this occurs, the Board of Directors of the National Wildlife Federation, acting on a resolution submitted by the Michigan United Conservation Clubs, has authorized intervention as *amicus curiae* (friend of the court). The action would involve employment of legal counsel to prepare and submit a brief in support of the State's position.

According to Executive Director Thomas L. Kimball, the National Wildlife Federation fully agrees with a statement recently issued by the International Association of Game, Fish and Conservation Commissioners. In making the statement, Association President Walter T. Shannon expressed the group's concern "over the continuing trend toward Federal intrusion into the historic and traditional areas of responsibility and jurisdiction of the states in the management of fish and resident wildlife. If the Federal government's claim of authority over fish and resident wildlife prevails," he said, "then private landowners could conceivably claim a similar right, and the time honored principle of state ownership, regulation and management of fish and resident wildlife would be destroyed. It is the firm and unequivocal conviction of this Association that the ownership of land does not include the ownership of fish and wildlife. Such a doctrine would have an extremely adverse and chaotic effect on the

management of fish and wildlife resources in all parts of the Nation."

Neither the International Association nor the National Wildlife Federation proposes any change in the status of certain laws or concepts which have to do with: any international treaty involving the regulation of migratory birds; the Rare and Endangered Species Act; the Bald Eagle Act; rights of Indians and natives of Alaska to hunt and fish as established by treaties or Acts of the Congress; the management of lands or control over wildlife species which have been ceded by any state to the United States; and the Federal responsibility for conserving and developing fish and wildlife habitat on Federal lands.

VIETNAM AND THE DOLLAR

Mr. SMATHERS. Mr. President, the Wall Street Journal is consistently outstanding in reporting the current condition of the American economy. Its coverage of our chronic balance-of-payments problem has been particularly excellent. The edition of Monday, April 22, 1968, contains a very good analysis of pressures on the U.S. dollar. The article, entitled "Vietnam and the Dollar," and written by Alfred L. Malabre, Jr., explored some of the myths and realities concerning our deficit problem. Because of its relevance to the current taxation and financing problems facing the Congress, I commend the article to the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Apr. 22, 1968]

VIETNAM AND THE DOLLAR: A TRUCE WOULD NOT END U.S. CURRENCY'S WOES, MANY ECONOMISTS SAY—THE PRESSURE WOULD EASE, BUT OTHER SPENDING LIKELY TO PRODUCE NEW STRAINS—IS THE UNITED STATES DOOMED TO DEFICITS?

(By Alfred L. Malabre, Jr.)

Peace in Vietnam would ease pressure on the embattled dollar—but by no means end it.

That's the view of a wide variety of economists in and out of Government. The dollar will be in trouble, these analysts claim, so long as Uncle Sam keeps running up huge balance-of-payments deficits.

The Vietnam war, to be sure, has aggravated these deficits. More than \$1 billion of last year's \$3.6 billion deficit can be traced directly to the war effort. And the war also has indirectly aggravated the payments situation by adding inflationary pressure to an already booming economy—for example, by worsening the shortage of skilled manpower in many defense-related industries.

But an end to the war would bring, at best, only a moderate improvement in the country's balance of payments, many economists are convinced. Says Gottfried Haberler, professor of international trade at Harvard: "Even if the war in Vietnam ends, I don't believe we'll see a substantial improvement in the balance-of-payments situation."

POLITICAL CONSIDERATIONS

Such estimates reflect many considerations, some clearly economic and some largely political. On the political side, many analysts are convinced that any reduction in Vietnam war spending (which now approximates \$27 billion yearly) would rapidly be offset by new domestic expenditures aimed at easing racial tensions in the nation's cities. Most analysts say that even dollars spent exclusively in the U.S. tend to hurt the balance of payments to the extent that such

outlays exert inflationary strain on the domestic economy.

"One reason that I'm not very hopeful about prospects for the balance of payments, and for the dollar," says Harvard's Mr. Haberler, "is that even if peace comes, total spending would be unlikely to decline, and it very well might increase instead."

Another political factor that should tend to keep spending high even if peace comes in Vietnam, says many economists, is the likelihood that the U.S. may be forced in any event to increase sharply its outlays for strategic weaponry. Only a few days ago the Senate subcommittee on preparedness launched an extensive investigation into the country's nuclear strength.

In 1962, strategic-weapons spending stood at more than \$11 billion, but the total has recently dipped as low as about \$7 billion annually. Many authorities fear that this vital area of defense has been dangerously neglected—partly because of Vietnam needs—and now urge a big increase in spending. The Administration's decision last year to proceed with a limited antimissile system may represent only a first step, some sources say.

DOLLAR DOUBTS

On the economic side, many analysts say bluntly that the dollar has long been overvalued in terms of other currencies, and that this complicates efforts to reduce the country's balance-of-payments deficit, war or no war. According to this view, an overvalued currency raises imports, cuts exports and causes capital to move elsewhere.

Sooner or later, these economists maintain, the problem of an overvalued dollar will have to be dealt with, presumably by a move to reduce the value of the dollar in terms of other currencies. (Opinion is divided over whether other countries would then readjust their own currencies so that the old relationships to the dollar would be retained. If other countries were the readjust, the main purpose of the U.S. move—to improve the balance of payments—would be thwarted.)

Studies undertaken before the heavy fighting in Vietnam indicate that the dollar may have long been overvalued in terms of what it can buy. At the official exchange rate, for example, a dollar is supposed to be equal to 4 West German marks or 3.62 Dutch guilders. However, various studies show that in reality a dollar usually can buy far less than, say, 4 marks or 3.62 guilders can buy; precisely how much less, of course, depends on the types of goods and services under consideration.

A LONG-TERM VIEW

Some economists who contend that the dollar has long been overvalued, and would continue to be even if peace were to come in Vietnam, often note that the U.S. balance of payments was in heavy deficit for many years before the Vietnam war heated up. From 1950 to 1956, the deficit averaged more than \$1 billion yearly; in 1958, the deficit soared to nearly \$3.4 billion, and in each of the next two years, the deficit approximated \$3.9 billion, well above last year's much-publicized total.

Moreover, it is frequently observed that this record of deficits has occurred even though there has been less price inflation in the U.S. over the years than in any other major country. In a recent 10-year period, consumer prices in the U.S. rose 17%, while the corresponding increase was 30% in the United Kingdom, 39% in France, 24% in West Germany, 39% in Italy and 57% in Japan. Even in the past year, when U.S. inflation clearly intensified, U.S. prices rose no more rapidly than in most other major countries.

"The fact that the dollar is in trouble despite this country's relatively good price record certainly suggests that the dollar's official value may have been out of line for a very long time," comments an economist for a large New York City bank. The multi-

billion-dollar U.S. foreign-aid program, the analyst adds, "has certainly not helped the situation." Such spending, he notes, tends to aggravate the country's payments position, regardless of how stable prices may be.

Some analysts who doubt that a Vietnam peace would greatly help the dollar also cite the dollar's role in the international monetary system. These analysts contend that because the dollar is used as an international monetary reserve, the U.S. largely escapes the balance-of-payments "discipline" under which countries generally must conduct their economic affairs.

Whether it totally escapes, however, seems somewhat doubtful in view of the recent gold crisis. International faith in the dollar weakened sufficiently so that speculators were willing to bet large sums of money that the dollar would be devalued. Certainly one powerful ingredient feeding foreign doubts about the dollar is the persistent balance-of-payments deficit of the U.S.

In part because of the mounting pressure from abroad, President Johnson has been seeking—so far without success—to raise taxes and discourage foreign travel. He also has placed tighter controls on the outflow of corporate funds, and the Federal Reserve Board has moved to restrict the availability of money and credit.

But analysts who contend that the U.S. escapes the full pressure of the payments discipline generally dismiss the sort of measures being pursued by Mr. Johnson. Jacques Rueff, the famous French economist, is perhaps the foremost exponent of the view that such measures are doomed to be ineffective. "The United States balance-of-payments deficit will certainly continue as long as the international monetary system which generated it survives," Mr. Rueff has written.

Such arguments reflect the idea that dollars draining abroad, as the U.S. payments deficit goes on, don't exert a proper restraining influence on U.S. economic activity. Mr. Rueff has argued that this is because many of these dollars—as foreign monetary reserves—come straight "back to the New York money market either as bank deposits or purchases of Treasury bills." In other words, the dollars tend to stay in the U.S., and this continuing presence tends to make the U.S. economy more ebullient than Mr. Rueff and others believe it should be if the payments deficit is ever to be eliminated.

But if the international monetary system, in effect, is rigged to allow the U.S. to run up perennial payments deficits with relative impunity, why should the U.S. even bother to stop its deficits or worry about their ultimate effect on the value of the dollar?

The answer, say many economists, is simply that in the long run, if dollars continue to pour abroad year after year after year, the value of a dollar is bound to deteriorate just through the fundamental working of supply and demand. In the process, of course, the U.S. also would run out of gold to sell to foreign governments; U.S. willingness, within limitations, to sell gold to foreign governments at \$35 per ounce forms a cornerstone on the present monetary system.

LOW COST HOUSING

Mr. GRIFFIN. Mr. President, on January 19, 1968, Michigan Republicans were hosts at a seminar in Detroit to discuss metropolitan area problems.

One of the speakers at this seminar was John McClaughry, who is now associated with the Harvard Institute of Politics, and who formerly served as a member of the staff of the junior Senator from Illinois [Mr. PERCY].

I ask unanimous consent that Mr. McClaughry's remarks be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

LOW COST HOUSING (By John McClaughry)

It is a very exciting thing that a political party—as opposed to an ordinary nonpartisan civic group or community organization—should sponsor this metropolitan seminar—not just to devise ways of winning the votes of city people, but to gain a better understanding of central city life and what can be done to make it more rewarding.

This is, as you have heard, an historic first. It is a great credit to those who have sponsored it, and to those who have given their time to come down and participate.

For one who is a perennial speech writer for political candidates and office holders, it is always a little difficult to get up and give a speech oneself. Around the United States Senate there is a story about an earnest young man who came to work for a rather pompous, long-winded Senator (obviously a member of the Other Party!). For years he worked eagerly and conscientiously to prepare sparkling speeches for this gentleman. He did so well that, after a while, the Senator scarcely read them before delivery.

Finally one night the young staff member, not so young anymore, and who had never gotten a raise or any recognition for his labors, was working on a major speech for the Senator to give the next day. The title of the speech was "Ending the War in Viet Nam." The more he tried to write, the more the man began to dwell on the injustice of it all—no raise, no recognition, just thankless drudgery.

Finally he decided he had had enough—that he would wash his hands of the whole business. At that point he was at the bottom of page 9 of the draft, and he wrote "And now, my friends, I'm going to give you my six-point program for getting us out of the war in Vietnam with honor and dignity and the respect of all the nations of the world." Then, at the top of the next page, he wrote in longhand, "Now you're on your own, you s.o.b."

So when I get up to speak, I tend to keep looking ahead to the next page to see if something like that isn't written on it.

Not only is this seminar an historic first; I think 1967 can truly be called, in many respects, The Year the Republican Party Discovered the Problems of the Cities.

At one time, during the leadership of the late Senator Taft, Republicans in Congress did show a strong awareness of urban problems. But in the years following Senator Taft's death, Congressional Republicans tended to emphasize the problems of their business and rural constituencies, and to neglect the potential constituency of the people of our central cities.

During this period, of course, a number of important demographic changes took place in America. There was an enormous migration from rural areas into the central cities. There developed a large and widening gap between the disadvantaged people of the slums and the affluent middle class of the mushrooming suburbs.

President Johnson's State of the Union message in 1967 was conspicuous for its utter lack of attention to the problems of the central cities. In fact, if you go back and look at that speech, you will find only three sentences in it devoted to urban affairs.

In view of the magnitude of urban problems, in view of the Civil disturbances that took place in Chicago and Watts and elsewhere around the country in 1966, in view of the excellent hearings held by Senator Ribicoff's subcommittee on the urban crisis, still the President's message contained only those three brief, unimaginative sentences.

Following that performance, Republican Senators began to discuss the urban prob-

lem in the cloakrooms and in their policy committee luncheons. The result was a four-point statement issued in late January of last year by 28 of the 36 Republican Senators, including your own Bob Griffin, who has achieved well-deserved stature as an urban-minded Senator.

The basic premise of that statement, I think, holds true today. The President has abdicated leadership in meeting urban problems, and the Congress must step forward and assume the responsibility the President seems unwilling to bear. The statement went on to advance four basic principles as a sound foundation upon which a meaningful urban progress program could be developed.

The first of the four principles was the importance of home ownership. For years home ownership has been an important part of the American tradition. It was the tradition of the Pilgrim fathers. It was the faith of those who enacted the Homestead Act of 1862, signed into law by President Lincoln. It was the message so eloquently delivered by President Hoover, perhaps the greatest apostle of home ownership in this Nation's history.

Yet today, particularly in our central cities, the incidence of home ownership among lower and middle income families has declined. In the ghettos today the great bulk of the houses and tenements are owned by absentee landlords, not the people in the neighborhood, and by home ownership, I do not just mean a bungalow in the forest, but also cooperative and condominium apartment ownership, even ownership of housing corporations which rent or lease to tenants.

For the prospect of owning a decent home of one's own can be a very important motivation force for the lower income family that has the capacity to rise economically to make that effort. It can bring greater self-reliance and human dignity and give people the roots, the stake in their community that they yearn for.

For some people—the elderly, the handicapped, welfare mothers without a male breadwinner, and other classes of people of this type—there is no choice but to see that their needs are met, and as much human dignity as possible salvaged. But for a large proportion of the poor—typically the cohesive family with an able-bodied breadwinner not more than 50 years of age—a real potential for climbing out of poverty is there.

Some way must be found to help them overcome what I call the "motivation barrier"—to encourage them to apply themselves to shaping their environment in a beneficial way.

But how do you devise a way of encouraging these families to make the best use of what they have, to achieve what may well be within their reach? In a number of imaginative programs developed by nonprofit organizations around the country, it was found that the opportunity to own a decent home of one's own constitutes an unusually potent motivating force for achievement of all kinds.

Let me give an example.

In St. Louis there is a large public housing project called Pruitt-Igou. In terms of social pathology, vandalism, crime, despair, and generally wretched living conditions, Pruitt-Igou may well be the most notorious public housing project in the country.

In the neighborhood around Pruitt-Igou there is a little Catholic church named St. Bridget's of Erin—which is rather nostalgic since the last Irishman left the neighborhood years ago. The priests of that parish, Father John Schocklee and Father Joseph Kohler, became interested in helping people in the public housing project to secure decent homes in the neighborhood.

Along with lower income Negro families in the neighborhood, they founded an organization called the Bicentennial Civic Improve-

ment Corporation. The corporation bought up the old shell houses in this run-down slum, rehabilitated them by using neighborhood labor, and sold them to families from the project and the neighborhood who had, during that time, been preparing themselves to accept the responsibilities of home ownership.

The most interesting family was one where the mother and children lived with various friends and relatives around the neighborhood, and the father slept in the washrooms of the public housing project. The mother worked in the basement cafeteria of a local church, from which she would scavenge leftovers to feed the kids. This family had no cash income at all—zero. It was literally hand to mouth to survive.

That is the kind of family that, in Labor Department terminology, is in desperate hard-core poverty—no job, no cohesion, no place to live, just nothing. Yet because of the Bicentennial Corporation, within a year that family was living together in a rehabilitated home of its own, the father had a decent job, and they had gained a new sense of dignity, self-respect, and purpose.

This is probably the extreme case, since most of the families involved at least had income from welfare. But the story was repeated in Indianapolis, in Rochester, in Philadelphia.

The chance to become a home owner exerted a powerful influence on the lives of the family. It made them invest in themselves, and, perhaps more important, it made them believe in themselves. Aside from the traditional Fourth of July eulogies, home ownership has proven to be a powerful factor for stimulating lower income families to break up and out of the cycle of dependence and poverty.

Now that was the first principle set forth in the Republican Senators' statement—home ownership. The second called for a new reliance on the involvement and leadership of the private sector in meeting urban problems. No city in the country can be prouder of its private sector than the city of Detroit, where your New Detroit Committee has brought together leaders in business, labor, education, the professions, and civic organizations into a powerful coalition to meet the problems of their city.

The Urban Coalition movement, spurred by Mayor John Lindsay of New York and Andrew Hellsell of Time-Life Inc., is encouraging the formation of such committees across the country.

Action Housing in Pittsburgh is a particularly fine example of what can be done when private groups work together for the betterment of their cities.

Private sector leadership in meeting urban problems takes a number of different forms. Let's take business involvement. Why do businesses, which after all are organized to make a profit for the stockholders and owners, become involved in activity in the slums, when profits can more easily be made in other places?

I think basically, there are three reasons. One is, of course, the philanthropic motivation of many business leaders. Contrary to what Marx said about the capitalist system, most American businessmen today are developing an acute social conscience. They recognize that merely operating a business for profit in an Adam Smith sort of way, with no regard for the community of which they are a part, is a very anachronistic way of looking at the opportunity and responsibility of the business world.

Thus you have the four Cleveland banks that assembled a large pool of mortgage money for areas where mortgage money had rarely gone before. Four banks in Philadelphia have done the same thing. The recent announcement by the life insurance industry that it will devote a billion dollars to mortgages in slum areas is another example.

In all these instances there is, I think, a

dedication to serving the public interest at the same time that one serves one's own private interests. Today this kind of dedication seems to be growing rapidly in our National life.

The second type of motivation for business is the opportunity to make a profit—not to milk profits from the poor, but to develop and market products that will contribute to better living for those who today are living in miserable slum conditions.

In a moment you will hear from Warren Obey of United States Gypsum, one of the Nation's leading producers of building materials, which has invested an enormous amount of its own money in devising products that are suitable for efficient rehabilitation of slums. In addition, Gypsum has actually undertaken the rehabilitation of a number of slum buildings in Harlem to prove to skeptics what can be done as well as to field test their new products.

There is no company in America that has done more than United States Gypsum to dramatize how the building materials industry, and business in general, can invest and produce better housing for people who don't have it today. Other building materials companies, such as Armstrong Cork and United States Plywood, are also moving on the same course.

The third type of motivation is improving the neighborhood of a company's plant. Many manufacturing plants are located in the heart or on the fringes of slum areas. Their management may recognize the local community responsibility of the company to take the lead in neighborhood improvement.

The management, for example, may discover that it is having difficulty hiring good employees because they don't want to have to travel through the slum on their way to work. Nor do stockholders or potential investors enjoy the picture of a plant surrounded by vacant buildings, old auto bodies, and broken bottles.

Smith, Kline and French in Philadelphia has been one of the pioneers in working in its neighborhood. So has Warner and Swasey, the machine tool company in Cleveland.

Obviously, rehabilitating their plant neighborhoods will not create much of an additional market for pharmaceutical or machine tool products. Yet these far sighted companies have provided staff, supplies and financing to help rehabilitate housing and provide social services to people in their neighborhoods.

These are three different ways in which business has involved itself in meeting urban problems. But aside from profit-seeking business, there is in America a vast panoply of nonprofit organizations which Richard Cornuelle has named the Independent Sector.

This includes the labor unions, churches, universities, civic organizations, professional groups, and the like, all of which play an enormously important role in the shaping of American life. Labor unions have for years taken the lead in producing cooperative housing in New York City. Fresno State College is working with prospective lower income home buyers to teach them how to handle their new responsibilities. St. Bridget's church in St. Louis—which had fine cooperation from Union Electric, the American National Bank, and Pulaski Federal Savings and Loan—is a fine example of local church leadership.

What is needed to develop a slum from the ground up, more than anything else, is know-how. And here is the place that private enterprise and the Independent Sector can make the crucial contribution. Take a businessman whose salary is earned by aggressively using his expertise for the benefit of his employer. This man has a way of approaching problems that is far different from that of the poor man in the slums.

So, of course, are the problems. But the more important factor is not the problem itself, but the problems solving procedure.

What happens when the poor man tries to solve problems? He is kicked around by the faceless forces that control his life. He goes down to a city agency for help—help he is entitled to by law.

"Stand in this line for an hour." "Oh, I'm sorry, go stand in that line for an hour." "Come back on Wednesday." "That's the wrong form."

Those of you working in the Metropolitan Action Committee are no doubt very much aware of this bureaucratic indifference, red tape, and eternal delay that is offered to so many people who make even modest attempts to take charge of their lives. Should we be surprised if the result of this kind of treatment turns out to be airmail garbage, smoldering frustration, perhaps eventually a Molotov cocktail? It is all created at the point where the poor person is prevented from taking charge of his own life and shaping his own environment.

But the businessman, the middle class housewife, the college graduate, these people have been brought up in an ethic which has taught them that through their own efforts they can control their environment, and that they can shape their lives to make possible the achievement of their goals and aspirations.

This ineffable quality, I think, is the greatest gift that a middle income, middle class, educated person can share with a neighborhood organization in the slums. The attitudes that "I can go out and fix this and make it work, I know how, they will listen to me, they will do what I want them to"—all these are so alien to poor people who have been pushed around all their lives that injecting them into the organization can make all the difference in the world.

I have mentioned the first two principles in that Republican statement—home ownership and private sector involvement. The third was the principle of self-help.

Self-help in American life was characteristic of the first settlers, the pioneers, the farmers, the first small businessmen. Today, in an urban context, self-help means taking it upon oneself to shape one's environment.

Whenever I see a welfare program for the poor, I ask myself, "How does the poor man grow in taking part in this program? Is he the object of charity, or is he the subject of self-improvement? Once this cycle has taken its turn, and the assistance has been given, is that poor man now qualified and able to go on from there without any further assistance?"

Selling brooms for the blind is a very common charity undertaking in many small towns around the country, with the sponsorship of a civic group like the Lions Club. But once we have sold brooms and given money to the blind, the blind generally are little better prepared to manage their lives than they were before.

Now helping blind people is certainly a legitimate object of charity. But because of their disability, there is a limit to what can be expected of them in terms of economic achievement.

When the program amounts to providing services to the poor, it often becomes what I call upholding the poorhouse. We must make life decent for those who have no chance of escaping from dependence on others. But we must strive to help those who do have the potential to rise to achieve that potential by teaching them to learn and to grow.

Aside from pure charity programs, any project devised to provide services by people who know how to people who don't is really missing the point. The point has got to be helping people to understand how to pull the levers and push the buttons to make it move in the direction they wish. That, basically, is the self-help principle.

The fourth point of that Republican statement is not so radically new, but it is, nonetheless, worthy of recognition. That is the

necessity for tackling housing problems and people problems together.

In this country the housing people have been home builders, bankers, architects—people whose jobs have been the production and financing of dwelling units. On the other hand are the educators, the social workers, the job trainers, the people whose job it is to help people meet "people problems." Historically these two groups have a very poor record of communication and cooperation. Their attitudes are different, and when they come together there is often friction.

One good example is the relation between the Office of Economic Opportunity and the Farmers Home Administration.

Farmers Home has been a home and farm mortgage agency ever since its creation. Its job is to make mortgage loans on economically sound properties to economically responsible individuals where credit is otherwise unavailable. The OEO approach, of course, is to help people who are in dire straits economically. When these two agencies come together on a housing project for the poor, there is an obvious clash of interests.

Another example in the same field is the high rise public housing buildings that line South State Street in Chicago. Here are buildings which are structurally sound. Yet they were designed and built with very little real understanding of the emotional and psychological needs of the low-income tenants.

The result, as at Pruitt-Igoe in St. Louis (which won several architectural awards), is despair, and the furious attitude of the tenants toward what is called the concentration camp philosophy. In Chicago, the State Street project is called the "Congo Hilton," and it is not exactly a term of endearment.

Here is a twenty-story building. It is full of kids. There are no toilets on the ground floor and there aren't enough elevators and they are broken half the time. I leave it to your imagination what kind of situation this produces. The planners did not understand what life would be like for the tenants. The social workers, who understood, had nothing to do with the planning; let alone the people themselves.

These are the four principles set forth in that Republican statement. They are as sound today as they were then. They are principles upon which an imaginative, responsible new attack can be mounted on the problems of the cities—an attack that is begging for Republican leadership.

Following that statement, legislation built upon it was introduced by 112 Republican Congressmen and by Bob Griffin and every other Republican Senator. This was the National Home Ownership Foundation Act. It is utterly extraordinary, in that not for at least 50 years have all Republicans in the

Senate—from conservatives like John Tower to liberals like Jacob Javits—come together to sponsor a piece of substantive legislation, much less a bill aimed at enlisting private enterprise in improving the cities and opening up new opportunities for their lower income families to move ahead to dignity and self-respect.

Among those 112 Congressmen, I should add, were Jerry Ford and nine other Republicans from Michigan. This is a dramatic evidence of a reawakened interest among Republicans for tackling the problems of low income housing and the central cities.

Now let me offer just one closing thought. There is, in my judgment, a dramatic opportunity for Republicans to produce a complete realignment of voting patterns among poor people in our central cities. Let me tell you why.

If you look at statements made by Goldwater conservatives and statements made by militant black leaders of the ghetto, and if you strip out all the peculiar rhetoric of each group and boil the message down to its essentials, you will find that both groups are saying the same thing.

They are pleading for a rebirth of individual responsibility, for the liberty of the individual, for decentralized decision making, for local initiative, for involvement of the private sector in meeting human needs, for all those elements which we as Republicans have considered a part of our Party's heritage and America's heritage.

What we must find is a way of translating the language of these two groups into one that both can understand. If this can be done, both stand to profit immensely. The existence of this seminar is certainly a salutary step in this direction.

The Republican Party's interest in the cities is very clear. In addition to our civic interests as citizens in meeting the problems of the cities in which we live and the States of which the cities form such an important part, we have to recognize that the ideals expressed by the poor people of the slums are identical to the ideals the Republican Party has affirmed in platform after platform, dating all the way back to the first platform of 1856.

And we must recognize that our task is to make our Republican Party a home for those who for years have constituted the automatic Democratic majorities of the low income neighborhoods. We haven't done it yet. But our chance is now—our chance to show by deed that we are on the side of people who yearn for the same things we have always had, and who deserve the same chance we had to achieve them.

This will not happen overnight. But with more events like this Metropolitan Action Seminar, and more programs involving Republicans in efforts to help poor people help themselves, it will happen.

And you, who have taken the time to come

here today to take part in this Seminar, are the ones who are going to make it happen.

Thank you.

USE OF FARM OPERATIONS LOSSES AS OFFSET TO OTHER INCOME

Mr. METCALF. Mr. President, on November 1, I introduced S. 2613, to amend the Internal Revenue Code to prohibit persons who are not bona fide farmers from using losses incurred in their farming operations as an offset to income from other sources.

On several occasions since its introduction, I have included in my remarks on this bill references to statistics compiled by the Internal Revenue Service in its study for 1965 entitled "Statistics of Individual Income Tax Returns." The Joint Committee on Internal Revenue Taxation has analyzed that study and, at my request, has prepared a table which provides a further insight into this problem.

The table prepared by the joint committee shows the total net farm loss, the number of individual income tax returns on which a net farm loss was entered, and the average net farm loss per return in each of nine adjusted gross income—AGI—classes.

The most important—and obvious—fact is the persistent rise in average net farm loss as adjusted gross income increases. In addition, the table shows that in seven of the nine adjusted gross income classes there has been an increase in the last 2 years in the number of returns which claim a net farm loss. For example, in 1964 there were 17,969 loss returns filed in the \$15,000 to \$20,000 class, but by 1966 the number of loss returns filed in that same class rose to 31,667. Turning to the \$500,000 to \$1 million class, the figure has risen from 145 loss returns filed in 1964 to 193 loss returns filed in 1966 while at the same time the average loss in that category rose from about \$36.5 million to a figure in excess of \$39 million.

Mr. President, so that other Senators will have the benefit of the table prepared by the Joint Committee on Internal Revenue Taxation, I ask unanimous consent that the table be printed in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

NET FARM LOSS, NUMBER OF RETURNS AND AVERAGE NET FARM LOSS, BY AGI CLASS, TAXABLE RETURNS, 1964, 1965, AND 1966

AGI classes (thousands)	1964			1965			1966		
	Number of returns	Net loss (thousands)	Average loss	Number of returns	Net loss (thousands)	Average loss	Number of returns	Net loss (thousands)	Average loss
\$0 to \$5	222,910	\$236,049	\$1,059	197,762	\$203,526	\$1,029	171,410	\$167,024	\$974
\$5 to \$10	314,346	340,867	1,084	319,741	334,943	1,048	324,312	349,196	1,077
\$10 to \$15	70,351	112,499	1,599	79,564	123,177	1,548	104,509	142,655	1,365
\$15 to \$20	17,969	48,817	2,717	23,843	60,292	2,529	31,667	35,370	2,380
\$20 to \$50	29,394	152,693	5,195	30,380	133,187	4,384	36,861	154,263	4,185
\$50 to \$100	6,865	63,526	9,254	7,424	76,852	10,352	8,863	76,402	8,620
\$100 to \$500	2,546	53,608	21,056	2,874	54,872	19,093	13,241	160,789	118,756
\$500 to \$1,000	145	5,295	36,517	170	6,625	38,971	193	7,566	39,202
\$1,000 and over	76	4,500	59,211	103	7,630	74,078	88	3,555	40,398

*Greater detail available for 1966:

AGI classes (thousands)	Number of returns	Net loss (thousands)	Average loss
\$100 to \$200	2,350	\$36,202	\$15,448
\$200 to \$500	891	24,487	27,483

THE STUDY OF CONTROVERSIAL ISSUES

Mr. FANNIN. Mr. President, at a time when our Nation is torn by controversy and emotions are running high, we have a most sensible and calm approach outlined touching on the teaching of controversial subjects in our schools.

Dr. Howard C. Seymour, superintendent of schools in Phoenix, Ariz., presented the following analysis to the 28th annual convention of the National School Boards Association in Detroit, Mich. Dr. Seymour's address appears to me, although I do not claim to be an expert in educational matters, to be a comprehensive treatment of the subject and reasoned in its approach.

I invite particular attention to his suggestion that students should be encouraged to recognize controversy and should not be afraid of controversial subjects and, more important, that they should be encouraged to evaluate the source of the information which they receive about controversial topics. Dr. Seymour is to be commended for recommending that students learn to think for themselves and accept neither the opinion of popular media, their contemporaries nor for that matter, their teachers as the final authority. The spirit of disciplined but independent investigation on the part of the students will go a long way toward insuring the continuing greatness of America and I applaud every effort made in this direction.

Mr. President, I ask unanimous consent that the paper entitled "The Study of Controversial Issues," presented by Dr. Howard C. Seymour in Detroit, Mich., be printed in the RECORD.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

THE STUDY OF CONTROVERSIAL ISSUES
(By Dr. Howard C. Seymour, superintendent Phoenix Union High School system, Phoenix, Ariz., presented at the annual convention of the National School Boards Association, Detroit, Mich., April 1, 1968)

THE NATURE OF CONTROVERSY

The nature of controversy is such that reasonable men differ. Discussion of controversial issues must, therefore, involve points of view objectionable to some individuals.

Free discussion of controversial issues is the heart of the democratic process. Freedom of speech and free access to information are among our most cherished traditions. It is the responsibility of American teachers to prepare students to understand the democratic processes so that they may use these processes wisely.

A major purpose of public education is to build good citizenship by providing the opportunities for education in the activities of a free society. The schools do not teach controversial issues; they provide opportunities for their study. A thorough discussion and evaluation of all aspects of controversial issues will help students to reach conclusions most in keeping with our democratic traditions. The liberation of the mind and the cultivation of independent thought and critical inquiry should be major tasks of education.

Freedom of discussion in the classroom, under mature supervision, instills in growing minds the habit of evaluating all aspects of controversial issues and tends ultimately to offset the impact of subversive influences. An enlightened citizenry is the foundation upon which a free society rests. The school

plays a vital role in strengthening this foundation thereby protecting and reinforcing our democratic way of life.

DEFINITION OF CONTROVERSIAL ISSUES

Simply stated, a controversial issue is one about which there exists conflicting opinions. Relating this to schools involves us in at least five areas:

1. The content of the curriculum

There are those who have decided opinions with respect to what should be taught. Some parents ardently believe that sex education should be taught in the schools. There are others who are unqualifiedly opposed to it. There are those who, in the past have protested the teaching of Social Studies, misinterpreting the term to be something related to socialism. More recently, the Modern Math advocates have been roundly scored by those who would teach mathematics in the traditional manner. Some people want the schools to teach young people how to drive; others contend that the schools' primary responsibility is basic education: reading, writing, arithmetic, etc.

Certainly, the demands of society—if there is substantial agreement—should be reflected in the content of the school curriculum.

2. Teaching methods

The second area of conflict is how pupils should be taught. There are those who strongly advocate the phonetic approach to reading. There are others who maintain that instantaneous recognition of whole words should not be retarded by a slower phonics approach.

Many people are aghast at what they term the "play approach" to learning. These people believe that rigorous drill is the only way by which individuals learn. Adherents of this approach believe that cold, hard application and some discomfort are necessary ingredients of learning.

And so it goes.

3. Materials of instruction

The public is frequently divided with respect to instructional materials which are used in the schools. Library and text books are good examples. In fact, this is the area in which such terms as "book burning", censorship", and "controlled reading" are used.

4. Atmosphere within schools

Many claim that there is too much freedom in schools; that young people are not controlled; that the rigorous application of rules is proper preparation for adult life. Others, on the other hand, advocate hard and fast school dress codes specifying the length of boys' hair or of girls' skirts. Others believe that such matters have little relationship to learning. They claim it is not the job of the schools to exercise vigilance and control over such matters.

5. Involvement in political and social issues of the day

A great deal of feeling has arisen with regard to how far the school should become involved in the economic, political, and social issues of the day. On one hand, there are those who strenuously object to the schools' insistence that some of the problems occurring in a democratic society should be discussed or read about. A community in which the citizens are largely from professional and management occupations sometimes resents the time allotted to discussion of the growth of the labor movement and the reasons for it. On the other hand, in a community which is largely of the laboring class or where unemployment is rife, citizens there want the public to know that the labor movement was caused by the exploitation of the laboring class by management.

Private versus public control of natural resources; federal control of education; the rights of the states versus the federal government; segregation; urban versus rural control of legislatures; and more recently, in

the area of war and peace, the conflict in Viet Nam; all of these topics draw the support of highly emotionalized people on one side or the other. The mere mention of "the other side" is like waving a vivid red flag. Sides are frequently drawn and the school is often caught in the middle.

The setting for controversy lies in these five areas. The practicalities are these:

In a mythical school system of 25,000 high school pupils, each pupil will attend school 180 days per year and will be exposed for 50 minute periods to approximately 149 other pupils plus the teachers. This endures for three to four years.

In addition, each one of the 25,000 is subjected to the whims, desires, fancies, opinions, beliefs, experiences of 25,000 sets of parents plus innumerable cousins, aunts, uncles, and grandparents. Each pupil, every day, will probably view all kinds of propaganda on television, listen to it via radio, or read it in the newspapers.

Is it any wonder that controversies arise in schools and classes?

THE SETTING

Schools are no longer isolated; in a sense they are fishbowls. What happens in our schools today is now more important to a greater proportion of citizens than ever before. Advocates of one point of view are extremely aware of the fact that if someone can "get" to pupils in schools, he has a captive audience.

There is tendency for more people to "sound off" than ever before. Our freedom of speech has been so emphasized that even the most humble and most ignorant individual has an opinion on everything regardless of whether or not there is any factual support.

Perhaps there is something to the answer which a high school youth gave to a question on an examination which asked "What are the four freedoms?" He replied, "Freedom from want, freedom from fear, freedom from religion and freedom from speech." I agree, too often there is too much "speech" and not enough critical thinking!

A second condition which seems to exist is the carelessness of people with their value systems; those who accuse without foundation have a tendency to depart from the facts, are too willing to vilify other individuals without supporting evidence, and have a careless regard for the truth.

A third condition has to do with the scientific process as applied to problem solving. We still make more decisions on an emotional basis than on a scientific one. We generalize on the basis of one example. Our gossipy tendency balloons one example until it becomes a hundred cases. We believe so intensely in our point of view that we refuse to listen to the facts presented by the opposition. (Example: the St. Lawrence Seaway)

Our position is often characterized by the following rhyme:

"On controversial issues
My position is sublime.
I always see both points of view,
The one that's wrong—and mine!"

There are a lot of squirrely and squirmy people in this world, the "hit and run" specialists, the "smear and hide" individuals. They are the anonymous "kooks"—punitive and arrogant—who want their ends accomplished without really being involved.

Then there is the organized opposition: groups with platforms, the liberals, the conservatives, the ultra-conservatives, the highly biased and prejudiced. These groups offer no quarter in their zeal and desire to brainwash the minds of young people.

Add to these, the thousands of individuals who have "a bone to pick" with a school, a teacher, a textbook or an incident.

It is with these introductory remarks that attention is now turned to the role of the teacher, the administrator, the student, and

the school board in making it possible for youngsters to come to grips with controversies without declaiming education and the community while doing so.

THE RIGHTS AND RESPONSIBILITIES OF THE TEACHER

First and foremost—to use an old cliché—every teacher needs to know something about the caliber, interest and background of each student. The good teacher starts with where the pupils are. It is incumbent upon him to know something of the atmosphere, the temper of the community. It is fine for him to be a crusader but he needs to know, shrewdly, how to crusade and when.

His responsibility is to make pupils think clearly for themselves, to teach them how to learn, how to analyze, how to judge, how to detect propaganda, how to weigh the evidence, how to raise the questions which bring out extremes of controversy and, what is most important, how to deal harmoniously with people who think differently.

Some of the established traditions of our American heritage are accepted truths and are non-controversial. These need to be stressed by the teacher in the classroom in an effort to develop a discriminating love of America. But there are many instances where controversy exists. The teacher is responsible for creating in his classroom an atmosphere of freedom for students to raise questions dealing with critical issues of the times and for maintaining an atmosphere conducive to the free interplay of ideas. It is the teacher's responsibility to provide a fair and honest presentation of various points of view concerning a controversial issue. The teacher should strive to present the relevant facts on controversial issues while, at the same time, encouraging the critical evaluation of sources.

The teacher is responsible for doing his best to see to it that conclusions reached by students are based first on complete examination of the facts involved and, more important, consistent with the basic tenets of our free society.

The teacher has the right in this regard, consistent with other principles stated, to express his own point of view, provided his students understand that it is his own opinion and not one which is necessarily to be accepted by them as the authoritative answer. (Example: "Who did you vote for in the town election?" John F. Kennedy stick-er)

The teacher, exercising responsible judgment, should be free to select for discussion those controversial issues which will be of value to the students involved while taking into consideration (a) the knowledge, maturity, and competence of the student; (b) the availability of a reasonable amount of material; (c) the significance, relevance, timeliness of an issue; (d) the readiness of students to discuss it with reason, emotional control, and understanding; (e) the degree to which the discussion will produce greater tolerance, understanding and good will in the community.

THE RIGHTS AND RESPONSIBILITIES OF THE STUDENT

The student has the right and the responsibility to study controversial issues which have economic, political, and social significance about which he should be informed.

The student, in studying the individual's relationship to his government, should recognize his obligations as well as his rights.

The student, in pursuit of solutions to controversial issues, has the right to access to relevant information including materials that circulate freely in the community.

The student should have the right to develop intelligent opinions on controversial issues and to express his opinions in a responsible way without fear of jeopardizing his relationship with his teacher or school. For example, no pupil should ever be evalu-

ated upon his beliefs, only upon the processes by which he has acquired them.

The student should have the responsibility to respect the right of others to differ with him. He has the obligation to learn to separate personality from the issues being discussed. (Example: Junior Town Meeting—Jewish—Monroe High School)

The student should have the responsibility to report accurately what happens in a classroom to his parents, to others in the school, to representatives in the community. The saying: "The child will take his listener as far as the listener is willing to be taken," is quite accurate. All too frequently, the child tells the parent what he believes the parent wants to hear. (Examples: (1) The teacher teaching about communism, (2) The counselor—scholarship—what father earned.)

THE RIGHTS AND RESPONSIBILITIES OF THE ADMINISTRATOR

Whether it be a principal or a superintendent, it is the duty of every administrator to keep in close touch with what is going on in the school or activities under his jurisdiction. He should make sure that teachers know and understand system policy and see that they are given adequate help to work in conformity with it.

Particularly, it is important for him to assess, accurately and quickly, the temper of a community whether one uses the football vernacular, "downfield blocking"; the cowboy and Indian phrase, "head them off at the pass"; or the military expression, "stop them at the first redoubt."

The interpretation is clear. It means a careful pre-examination of textbooks; a procedure for acquiring instructional material; a process whereby the public is made aware of the procedures to handle complaints. And, surely not last nor least, preparing communities for educational changes.

When differences of opinion arise concerning the handling of controversial issues, the administrator has the responsibility to see that a fair and impartial consideration is given to the teacher's point of view through normal channels. The administrator needs to make the community aware that just as in any other situation, the teacher has a right to face his accusers.

The administrator does not protect his teachers "right or wrong." He acts as a judge, trying to determine what has happened, why it happened, and whether or not he should support the teacher or suggest modification in practice or procedure. Once a final decision has been reached, both the administrator and the teacher have responsibilities to carry out system policy. It is the task of the administrator to protect and support teachers when unjustifiable complaints, requests and demands are made.

THE RIGHTS AND RESPONSIBILITIES OF THE SCHOOL BOARD

The major tasks of the school board are to interpret the schools to the community, to reflect the atmosphere of the community to the administration, and to establish policies essential to successful operation of the schools. In the latter instance, it should anticipate and prepare for the handling of controversy.

It is particularly important to have written into the Board Policies or into the Administrative Regulations (which the Board should approve) such items as (1) the teaching of controversial issues, (2) the procedure for handling controversial teaching material, (3) the procedure for challenging what we teach and how we teach, and (4) the process for handling complaints. These then become the guidelines for working with controversial issues.

These policies and procedures must be adapted to the particular community since communities differ in size, maturity, and composition.

Much of what has been said concerning

the teachers, the students, the administrators and the school board should be included in these policies and regulations.

Let us take, for example, the process of registering complaints by a citizen concerning a controversial matter.

As a preventive measure, the Superintendent, together with the Board, should have excellent communications with the community; should have explained to the public the curriculum and the possibility of controversial issues being utilized for discussion purposes even to the extent of listing some of the controversial items. An unknowing public is often an unduly suspicious public!

The procedure for registering a complaint should be made known to the public and repeated often enough so that those who forget and those who are newcomers are acquainted with it.

Generally speaking, if a complaint is received by a Board member, he should relay it immediately to the Superintendent. He can do this in two ways; he can either listen to the complaint and then pass it on to the Superintendent, or he can urge that the complainant contact the Superintendent direct. He should urge that the complainant place the complaint in writing. This, in a sense, separates the men from the boys! By all means, the Board member should refuse to deal with an anonymous complainant in any way. These are the "hit and run" experts previously referred to.

Proper procedure indicates that the Superintendent is required to make a prompt investigation, including interviews with the complainant and the teacher involved, and an examination of the facts in the case, in an attempt to resolve the issue. He makes his report to the entire Board. The entire Board must act as a whole, must be informed as a whole. No Board member has the right to act unilaterally.

The procedure should require that the Superintendent state to the complainant that if even after his investigation the complainant is still dissatisfied, he has the right to take the matter to the entire Board for a complete hearing. The Board then renders a decision, but only after a thorough airing of the facts. If the facts seem to indicate that a complaint is justified, the Superintendent should move promptly to correct it. (Example: "I Sing of Olaf" by e. e. cummings)

CONCLUSION

In conclusion, then, the solution to the teaching of controversial issues and what the school system does about it in order to avoid conflict in the community is:

(1) Establishment of a written policy on the teaching of controversial issues,

(2) A cooperatively acceptable statement of the process and procedure for handling conflicts fairly when they arise.

It should be remembered that it is entirely possible that great progress in this country has been made because of differences rather than from the lack of them. We need to learn to live with difference, to profit from it, and to establish an orderly process for dealing with it.

In setting forth policies with respect to the discussion of controversial issues in the classroom, it is hoped that through the development of careful research procedures and through the interplay and exchange of ideas in the classroom students may learn the techniques of fair and impartial analysis and evaluation of such critical and controversial issues as may arise from time to time.

It is also hoped that such an educational achievement in the classroom may set an example for individuals and groups in the community as well as lead, generally, to intelligent and responsible decisions within the framework of a free, democratic process.

There must prevail in every school system, a spirit of inquiry and a continued search

for truth. Everything possible should be done to avoid the advocacy of any one theory or hypothesis and to prevent offending any group which supports unequivocally any one point of view.

The school must not avoid controversial problems; it must not be a sterile "piller-upper" of knowledge for its own sake. It must be a market place for thinking and for problem solving. It must teach young people how to think, how to detect propaganda, how to amass data, how to analyze and how to judge. This cannot be accomplished with problems about which there is no controversy.

By the same token, the school must experiment wisely, carefully, and with due regard for the welfare of our young people. Education cannot remain status quo. Schools, instead, must attempt to accelerate their efforts to help young people learn how to learn and how to assess carefully what they learn. They must consistently try new curricula and new ways of teaching.

I pray that the day will never come when all controversial material is removed from our educational program, when we are prevented by pressure groups from helping young people become self-reliant, self-activating, and constructively critical—equipped with the tools to question and to decide for themselves.

This is a part of our heritage of freedom.

INCENTIVES TO SPUR OIL EXPLORATION ARE STRESSED BY BUREAU OF MINES

Mr. HANSEN. Mr. President, several weeks ago, I invited the attention of the Senate to testimony which had been presented by Bureau of Mines Director Walter Hibbard on March 22 to the Subcommittee on Minerals, Materials, and Fuels of the Committee on Interior and Insular Affairs.

As a part of that testimony, Director Hibbard left with the subcommittee a commodity statement on petroleum. The newspaper Oil Daily for April 5 has summarized the contents of that statement. For the benefit of the readers of the RECORD who are interested in our long-range minerals and fuels policies, I ask unanimous consent that the Oil Daily article entitled, "Incentives To Spur Oil Exploration Are Stressed by the Bureau of Mines," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INCENTIVES TO SPUR OIL EXPLORATION ARE STRESSED BY THE BUREAU OF MINES

WASHINGTON.—The Bureau of Mines in the Interior Department is convinced that the government must consider "improving the incentives" to spur increased exploratory efforts to find additional petroleum reserves in the United States.

This position is spelled out in a "commodity statement" on petroleum—one of many prepared by the BofM on minerals and fuels, as of Jan. 1, 1968.

These statements were made part of a hearing record by BofM director Walter Hibbard after he testified about two weeks ago before a Senate Interior subcommittee, headed by Senator Gruening (D., Alaska).

In its petroleum statement, the bureau put it this way:

"Certainly domestic resources remain large and ample for projected demands for many years."

"The significance of this resource potential rests upon such issues as the presence or absence of incentives to explore for and develop new reserves and for the investment required to economically develop and pro-

duce from domestic sources while abundant low-cost supplies are present on the world market.

"Presently, domestic exploration (drilling) has declined and established reserves are lower than traditionally maintained to support future domestic production.

"Improving the incentives for exploration, including cost-cutting technologic advancements, demands serious concern."

The bureau said that government policies influence, "and in a sense determine" the domestic supply-demand relationship—such as those dealing with import controls, tax provisions, regulatory provisions, leasing policies and the like.

While the announced national objectives subscribe to the maintenance of adequate supplies of low-cost energy, diverse in form and geographic source but drawn mainly from domestic areas, "the factual base for the type of action necessary to achieve this objective is not adequate."

It said specifically, better knowledge is needed of the extent distribution and character of potential resources, along with the problems that are involved in exploiting them. Such knowledge, the bureau said, is "essential to effective governmental action and national policy."

Here are some of the points made by the bureau, in its 30-page study dealing with petroleum:

(1) Abating pollution from fuel use is a growing challenge, in view of the need to keep down costs.

(2) There are potential substitutes for oil from coal, gas, shale, etc., but these must be viewed as "supplements" rather than as "competitors" of petroleum.

(3) Major oil companies are becoming "total energy" minded, some buying or merging with coal companies and others with uranium interests.

"The extent to which this trend aids or inhibits the public interest deserves constant attention."

(4) The United States in 1966 continued to decline in its reserve position among world oil producing countries. U.S. reserves in 1966 accounted for about 10% of the world total.

(5) The United States at the end of 1966 had 39.78 billion barrels in proved reserves, with Africa having 32.36 billion, Latin America, 25.15 billion, the Middle East, 244.84 billion, Communist areas, 33.84 billion, and other areas the balance.

(6) Since 1959, the 29 major oil companies have accounted for all of the increase in oil production, and their operations, combined, also constitute a major part of worldwide oil activities. Some 65% of their production and 45% of their refinery runs in 1966 were accounted for by foreign oil.

(7) However, some 20 large independents are operating throughout the world and "are" giving increased competition to the majors."

(8) Demand is catching up with capacity and in 1966 unused capacity existed "only in a few areas, primarily Louisiana and Texas, and in these areas allowables for prorated wells have been increased substantially."

(9) The relative position of independent producers has declined steadily during the past ten years. The drop in economic opportunities and prospective profitability for them has been relatively greater than indicated by composite national figures.

(10) The increase in nonresidual imports during the past decade has been almost 50% of the gain in domestic production of liquids.

(11) Federal offshore leasing has affected exploration and development. Offshore wells, accounting for only 2% or 3% of total U.S. wells, add reserves "entirely out of proportion to their numbers."

(12) On the other hand, the trend toward wider spacing and pooling of small acreages for drilling have brought incentives in Texas more in line with those of Louisiana and should result in greater exploration and development both offshore and onshore.

(13) While the federal depletion allowance for tax purposes has tended to reduce tax liability for producers, state governments have extended severance and production taxes which have "largely offset the special federal treatment."

(14) Petroleum operations are taxed by federal and state authorities to the equivalent of about 4.4% of gross receipts. This compares with 4.5% for all business corporations (in 1960-61).

The bureau estimated U.S. oil demand (oil and gas liquids) will increase 51% by 1980, growing at an annual rate of 3.1% in the 1966-80 period, but will become a smaller percentage of total energy demand, with nuclear power and gas increasing their shares.

Concluding, the bureau predicted productive capacity will continue to rise near-term, but at steadily slower growth rates, with the reserve/production rate gradually dropping off by 1980.

Crude oil prices "may increase slightly, but probably will remain relatively stable. Natural gas liquids prices are expected to continue the current upward trend."

Federal policies will have a direct effect on supply, demand and price of domestic oils and development of alternative resources.

These alternate supplies will enter the market in the 1970's, but their output will not have a significant impact on oil sources before 1980. After that, their competitive impact will increase as "the economics of the conventional petroleum industry become decreasingly less attractive."

OBSERVANCE OF "SECRETARIES WEEK," APRIL 21 TO 27, 1968

Mr. TYDINGS. Mr. President, this final week of April has been, for a number of years, designated "Secretaries Week," with Wednesday being highlighted as "Secretaries Day."

This tradition was initiated about 17 years ago by the National Secretaries Association in cooperation with the Department of Commerce. The objective is, of course, to draw public recognition to the service of all secretaries and to the contributions they make to the educational, professional, and civic growth of their communities. These observances also give secretaries a heightened awareness of their responsibilities and stature as members of a profession.

During the 17-year history of Secretaries Week, 3,901 secretaries have attained the certified professional secretary rating of the Institute for Certifying Secretaries. One qualifies as a CPS by passing an examination administered by the institute, which is part of the National Secretaries Association. The CPS is a nationally recognized standard of secretarial proficiency.

Another department of NSA, the Future Secretaries Association, now has 274 chapters in 325 high schools and colleges. Through this program, experienced secretaries help business educators train students to fulfill the secretarial needs of an increasingly specialized job market.

TREMENDOUS NEEDS AHEAD FOR OIL AND GAS, MOORE DECLARES

Mr. HANSEN. Mr. President, in a little publicized speech to the Rocky Mountain Oil & Gas Association on March 27, Assistant Secretary of the Interior J. Cordell Moore spelled out the tremendous demand for future oil and

gas supplies. In his speech, he said that domestic producers must find "at least 4.25 billion barrels of new oil each year just to replace what we take out of the ground."

He also warned that the United States cannot be dependent on foreign sources "which might be denied us through war or political instability."

I ask unanimous consent that an article, published in the Oil Daily of Monday, April 8, 1968, describing Assistant Secretary Moore's speech, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Oil Daily, Apr. 8, 1968]

TREMENDOUS NEEDS AHEAD FOR OIL AND GAS, MOORE DECLARES

CHEYENNE, Wyo.—A top Interior Department official told the Rocky Mountain Oil & Gas Association that the nation's future oil and gas needs are tremendous, but so are its resources of these fuels.

The critical question, according to J. Cordell Moore, assistant secretary of Interior, is the progress the industry makes in locating and developing these resources.

Moore, in a little publicized speech to RMOGA March 27, revealed that the latest estimates are that total crude oil resources in place come to two trillion barrels, and natural gas totals 5,000 trillion cubic feet.

He said that these figures, put together by Tom Hendricks, of the U.S. Geological Survey at Denver, are larger than previous estimates because they include the Continental Shelf out to a water depth of 600 feet.

Moore emphasized, however, that in all probability "most of this oil and gas would never be worth finding and recovering"—the figures are "resources—a purely physical term, not reserves, which have specific economic value."

He pointed out, on the other hand, that the oil finding rate must hit "at least 4.25 billion barrels of new oil each year just to replace what we take out of the ground."

Moore also warned that the United States cannot be dependent on foreign sources "which might be denied us through war or political instability."

The United States also must have "low cost" fuel resources because the nation's technological superiority depends upon vast inputs of energy.

"To stay competitive in the world we must carefully control the cost of our goods and services offered in world markets," he added.

The task that faces the industry, he emphasized, is how to find, produce, transport, process and market the domestic resources at costs competitive with other fuels, and "how to do so at a profit."

The industry has done very well, in carrying this burden up to now, Moore said, and there are vast alternative resources—such as shale oil, tar sand and other sources.

"Someday, Moore said, synthetic fuels will compete with natural petroleum for markets.

"Just guessing," he added, "and this is all I'm doing, guessing—I would think that we can expect to have synthetic fuels, probably from both coal and oil shale, in commercial production between 1975 and 1980." "Quantity?" he added. "Give it a million barrels a day by 1980, or 5.5% of projected demand that year."

Even so, he pointed out, this would still mean that the overwhelming portion of the 60-plus billion barrels of oil that must be produced in this country over the next 15 years "will have to come from the same source it always has: from petroliferous rocks all over the country between 1,000 and 25,000 feet under the surface."

The oil will be found the same way it always has been, he said—by boring holes in the rocks, in old provinces and in new ones, onshore and offshore, deep and not-so-deep.

The key, he indicated, to finding and developing the tougher hiding places will be technology. He pointed out that the National Petroleum Council is now making a study of the future petroleum provinces of the United States and the results—expected in about two years—should help all oil explorers.

In addition, Moore said he expects secondary recovery techniques to continue to improve, resulting in an average annual increase in recovery efficiency amounting to "something between one-third and one-half of 1% of original oil in place."

"I have complete confidence," Moore said, "that the petroleum industry will meet its challenge. It has (repeatedly) demonstrated its great vitality and capacity . . ."

THE WORLD'S MOST EXCLUSIVE CLUB MEETS AGAIN

Mr. METCALF. Mr. President, contrary to conventional wisdom, the world's most exclusive club is not the Senate of the United States. It is the hierarchy of the Nation's largest industry, electric power.

The investor-owned utilities do not like to have representatives of customer-owned power systems, city-owned power systems, or Government sit in on meetings of the IOU Club when the select consider matters of tremendous importance to every citizen. Occasionally a few representatives of large public power systems will be invited in, mainly for window dressing. They are like the Negro architect who says he "integrated" seven architectural firms with Government contracts, moving around from firm to firm to present the proper integrated front when a Federal visitor came around to see that the recipient of Federal contracts did not discriminate in employment.

The IOU's started to set up the Mid-Continent Area Power Planners—MAPP—that way, excluding the Bureau of Reclamation and municipal power systems from all initial planning. The IOU's excluded other types of power systems from the electric heating exposition. You will find neither municipal nor cooperative participants at the annual American Power Conference, at the Illinois Institute of Technology. Earlier this year the IOU's almost slicked through the Atomic Energy Commission an arrangement by which the Edison Electric Institute would head a nuclear powerplant study. This needed study of powerplant siting will be headed up by the Federal Power Commission, with the aid of Federal and private organizations, if S. 3330, introduced last week by the junior Senator from Massachusetts [Mr. KENNEDY] becomes law.

Today another meeting of the exclusive IOU Club is being held in New York, under the sponsorship of the Allegheny Power System. On the agenda is discussion of electric reliability. The Senate Commerce Committee has been holding hearings on S. 1934, the electric power reliability bill, strongly recommended by the administration and the Federal Power Commission. I think it is safe to assume that the club will consider ways of deluding members of the Senate and

House Commerce Committees into thinking that S. 1934 should not be passed.

Customer-owned and city-owned power systems asked to be included in the New York meeting. They were deliberately excluded.

I believe that Members of this body, especially members of the Commerce Committees, will be interested in the comments of groups that sought unsuccessfully to gain even temporary admittance to the world's most exclusive club. Therefore, Mr. President, I ask unanimous consent to insert at this point in the RECORD a telegram from Robert D. Partridge, general manager of the National Rural Electric Cooperative Association, to J. Lee Rice, Jr., of the Allegheny Power System; a telegram from Robert O. Marritz, executive director and staff counsel of the Missouri Basin Systems Group, which represents 125 consumer-owned power systems and the U.S. Bureau of Reclamation; and a statement by Fred G. Simonton, executive director of the Mid-West Electric Consumers Association.

There being no objection, the telegrams and statement were ordered to be printed in the RECORD, as follows:

APRIL 24, 1968.

Mr. J. LEE RICE, Jr.,
Allegheny Power System, Inc.,
New York, N.Y.

DEAR MR. RICE: NRECA has been informed of a meeting of representatives of the National Electric Reliability Council on April 25.

We are disturbed, however, over the reported failure to invite the Missouri basin systems group, and other consumer-owned planning organizations. If any council is to meaningfully attack the problem of reliability, it must do so on the basis of bulk power supply, not the nature of ownership of the system.

If the purview of this proposed council is to be truly national in scope, then rural electric cooperatives involved in bulk power supply must be included. For this reason I am asking you to forward to NRECA, copies of the proceedings of this above-mentioned meeting. In this manner, NRECA can be kept abreast of the accomplishments of this "National" committee.

ROBERT D. PARTRIDGE,
General Manager, National Rural Electric Cooperative Association.

APRIL 23, 1968.

Mr. J. LEE RICE, Jr.,
Allegheny Power System, Inc.,
New York, N.Y.:

As executive director of the Missouri basin systems group, I must strongly object to the exclusion of MBSG from your April 25 New York meeting concerning formation of a national electric reliability council.

MBSG is a regional coordination group and pool of 125 consumer-owned systems in the upper mid-west, including the U.S. Bureau of Reclamation. Present facilities of the group's members include the backbone 230 kv transmission grid in the region. Planned facilities of the group's members include generating units of substantial size and hundreds of miles of EHV transmission line. By any standard, these bulk power facilities constitute a significant segment of the area's facilities and have a substantial effect upon the reliability of the regional system, not to say the national interconnected system. As you may know, the east-west ties linking 94% of the country's generation are accomplished within MBSG's area and by MBSG member system facilities.

If there is any question as to whether MBSG is a coordination group or a pool, I would say that it is both. MBSG's planning and operation committees conduct studies to ensure that member's plans are coordinated to provide a low-cost reliable supply of electric energy in the region. Pooling in the group presently involves the hydro-electric facilities of the bureau of reclamation and the thermal generating facilities of Basin Electric Power Cooperative.

Since MBSG participated by invitation in a February 19, 1968 meeting in Los Angeles concerning formation of a national reliability council, and I later called Mr. Floyd Goss of the Los Angeles system reaffirming MBSG's interest in participating in such an effort, I am disturbed by the complete failure of your group to keep us informed of its progress. Not only were we not invited to the New York meeting, held for the purpose of considering a draft agreement—we were not even informed of it, or sent a draft copy of the agreement, nor have we received any correspondence on this matter to date.

Having learned of the exclusion of MBSG from the New York meeting and the National Council, I telephoned Mr. Goss on April 15 and later wrote him on April 16 to ask that we be allowed to participate in the New York meeting. Mr. Goss telephoned me on April 22 to say that MBSG should not have a representative at the New York meeting, and that he would inform us of what transpired there.

Thus, it seems that our exclusion from the meeting was deliberate, that our comments on the draft agreement are not wanted, and that our role in the National Council, if any, will be distinctly second class.

Whatever the objectives of your National Council, I sincerely believe that they cannot be served by denying participating to groups such as MBSG.

ROBERT O. MARRITZ,
Executive Director, and Staff Counsel,
Missouri Basin Systems Group.

MIDWEST ELECTRIC CONSUMERS ASSOCIATION PROTESTS EXCLUSION FROM PROPOSED COUNCIL

DENVER, COLO., April 24.—The executive director of a consumer-owned electric association today protested "most vigorously the intentional exclusion of a major regional electric power coordinating group from a council purporting to be national in scope."

Fred G. Simonton, executive director of the Midwest Electric Consumers Association with headquarters in Denver, Colorado, said that "the Missouri Basin Systems Group, a regional power pool serving 125 electric systems, most of whom also belong to Mid-West Electric Consumers Association, was deliberately excluded from a meeting to be held to create a national electric reliability council."

Simonton noted that MBSG Executive Director, Robert Marritz, had objected to the exclusion by telegram to J. Lee Rice, Jr., chairman of the board of Allegheny Power System, Inc., and chairman of the council meeting to be held in New York on April 25.

Excluded from the New York meeting of the council, called to draft an agreement among some of the major power entities in the country, are the 125 electric systems in the Missouri Basin, which make up the MBSG. Included in the MBSG group are the U.S. Bureau of Reclamation, which markets power over the only region-wide transmission system in the Missouri River Basin, and Basin Electric Power Cooperative, which operates the nation's largest lignite-burning generating plant.

In a telegram to Senators, high Administration officials, and national electric leaders, Simonton said "it is not enough for this self-appointed group of giant companies to call itself a reliability council. If it is sincere in its efforts to prevent the massive blackouts experienced in the recent past, it will seek

to coordinate with all groups. The deliberate exclusion of the MBSG, members of which were the key element in the test of the national East-West intertie last year, raises a question about the real purpose of their proposed organization. Exclusion of major coordinating groups, and regional systems, from this agreement-writing session in New York suggests that the purpose of the meeting is to marshal forces against the national electric reliability act now under consideration by the Senate Committee on Commerce."

Simonton's statement said that "if the power company-dominated proposed council is more than organized subterfuge to avoid such legislation, it would have sought to include representatives of all power suppliers in the nation. The deliberate exclusion of most municipal systems, cooperatives, and the MBSG, suggests all the more the need for national legislation which would require objective and fair planning of the rapidly expanding national electric power grid."

Simonton said his organization expects to testify in favor of legislation which would accomplish the purposes sought by the legislation presently under consideration. He said that the action of the council "confirms our apprehension that giant monopolistic power companies are not truly interested in coordination of all power systems for the purpose of reliability." The New York meeting should be considered by the FPC as an affront, he said.

"We go to Salt Lake City Friday to tell the Senate committee of our views and of the serious need to protect the small consumer-owned electric systems, as well as to assure customers of the giant companies that they can expect reliable service at fair rates," Simonton said.

AFL-CIO REAFFIRMS COMMITMENT TO HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, few organizations have been as unstinting and vigorous in their support of the human rights conventions as the AFL-CIO. This fine organization was instrumental in developing the Forced Labor Convention and has continually urged the ratification of this and other of the human rights treaties.

In this spirit, the recent AFL-CIO convention called upon all of its affiliated unions to observe the week of December 10 through 17 as Human Rights Week and the year of 1968 as International Human Rights Year.

I ask unanimous consent that the AFL-CIO convention resolution, entitled "International Human Rights," be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 177, INTERNATIONAL HUMAN RIGHTS

1968 has been designated by the United Nations as International Human Rights Year. It marks the 20th anniversary of the Universal Declaration of Human Rights. President Johnson has proclaimed the week of December 10 through December 17, 1967, to be Human Rights Week and the year 1968 to be Human Rights Year.

American labor has been tireless in its struggle for fundamental human rights and freedom. In this spirit, American labor participated actively in the preparation of the United Nations Declaration on Human Rights. Twenty years ago, American labor took the initiative in placing before the entire world the growing menace of slave labor by providing the United Nations with authentic documentation and witnesses.

This led to the historic United Nations investigation and condemnation of forced labor—particularly in the Communist "Paradise" where forced labor took on massive proportions involving many millions. Today, the AFL-CIO strongly urges the United States to ratify the ILO conventions involving the field of Human Rights.

The Seventh Convention of the AFL-CIO expresses its solidarity with the workers, agricultural producers, and freedom-loving intellectuals of the captive nations in their aspiration to attain political freedom, and the fundamental human rights of which they are today deprived. We are deeply distressed by the fact that the Communist regimes in these captive countries are subjecting labor to intense exploitation by suppressing free trade unions and denying the right to strike.

The AFL-CIO pledges its wholehearted support to all workers and other liberty-loving people now engaged in bitter struggle for basic human rights and freedom. We are unequivocally opposed to every form of dictatorship—whether it be Communist, Fascist, Falangist or of any other totalitarian hue. All totalitarian tyrannies are mortal enemies of individual dignity and fundamental human rights and deny the working people the right to organize into free trade unions.

The Convention reaffirms its dedication to the ideals and aims of the Universal Declaration of Human Rights. We appeal to the American people for tireless efforts to advance and protect, at home and abroad, the ideals embodied in this historic Declaration.

The AFL-CIO Seventh Convention calls upon all our affiliates to observe the week of December 10 through 17 as Human Rights Week and the year 1968 as International Human Rights Year.

SBA'S CONTRIBUTION TO RECORD PROSPERITY OF NATION'S SMALL BUSINESSES

Mr. SPARKMAN. Mr. President, for a great many years I have had a keen interest in the problems of small business. I have many friends among small businessmen not only in my own State of Alabama, but throughout the country. I believe I understand the problems they face.

My interest in small business stems from my belief that these enterprises are perhaps the most positive force for growth that we have in our economy. That has been so in the past and it is so today.

As long as small business is prosperous, the economy will be healthy and growing. But if we allow our small businessmen to get into trouble, we are all in trouble.

I am happy to report that small business is very prosperous today. It is riding the wave of our unprecedented 7 years of steady economic growth, and I think our prosperity is due in part to the assistance given by the Small Business Administration.

President Johnson is a good friend of small business, and his concern for the welfare of small business is nowhere better demonstrated, I believe, than in the record of accomplishments of the Small Business Administration last year.

In 1967 the Small Business Administration increased its volume of loans by 55 percent over 1966, reaching a new high of \$667.7 million.

Of that total, the agency approved \$482.7 million in regular business loans

to help 9,518 small firms. Sixty-seven percent of the loans were made with bank participation; SBA's share of these loans was \$379.9 million.

SBA approved \$36.9 million in economic opportunity loans to help 3,432 small businesses as part of the war on poverty.

Loans totaling \$34.8 million were made to help 404 small firms forced to move because of federally aided projects in their area.

SBA was active in helping community development projects. During the year the agency approved \$53.9 million in 362 loans to aid in the economic development of communities; banks and other private investors provided \$23 million. The loans financed projects of locally organized development companies.

Many disaster victims received help last year: SBA approved \$89.3 million in long-term, 3-percent loans to help victims of storms, floods and other disasters repair or rebuild their homes, businesses, or replace damaged property.

Through these and other programs SBA strives to help small businessmen, making it possible for them to grow and to provide a wider range of services.

There are programs to help communities attract new industries and build up existing industries. Planned community economic development and assistance to our small businesses generate new jobs, one of the prime objectives set for the Small Business Administration by Administrator Robert C. Moot. Mr. Moot reports that last year SBA created 10,200 new jobs through its local development company program alone.

A good many of these jobs were created in small communities and will serve to stem the rising tide of outmigration of jobseekers from these rural areas into the ghettos, adding to the already serious overcrowding in these troubled areas. I feel confident that the development company program can become, under the able stewardship of Administrator Moot, a major tool in our national effort to achieve an effective economic balance between our lagging rural areas and our overburdened cities. In fact, this is one of the objectives I had in mind when I introduced the development company legislation and guided it through Congress a decade ago.

I commend Administrator Moot for this fine record of achievement, and I know that my colleagues will join me in supporting this agency and its many programs that do so much to stimulate economic growth.

AN "ACTIVIST" CLERGY

Mr. BYRD of West Virginia. Mr. President, the Wall Street Journal of Tuesday, April 23, contained a fine editorial on the subject of the activism that has today infected what I believe to be a minority among the clergy.

It makes the point that I have alluded to many times in public statements in recent months—that the preoccupation of this highly vocal minority of religious leaders with secular and political matters has gravely hurt the church and the influence of religion in general.

I commend this editorial to the atten-

tion of Senators and Members of the other body, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ANTIDOTE FOR ANOMIE?

An "activist" clergy may be desirable for any number of reasons, but none of them has much to do with religion. This heresy comes from Rabbi Arthur Hertzberg, himself one of the activists, in some of the most perceptive comments we have seen on the current fashion in liberal religion.

The fashion is trying to make religion more "relevant" by joining various social and political causes, like civil rights, uplifting the poor and ending the war in Vietnam. Mr. Hertzberg, a history teacher at Columbia University as well as rabbi at Temple Emanuel in Englewood, N.J., agreed with their positions in a speech the other day. He himself advocates unilateral withdrawal from Vietnam. But he denies that this "nervous scurrying for relevance" is going to revitalize contemporary religion.

"A large part of what passes for liberal religion in America is a rewriting of the Nation and the New Republic," he says. "That's not the job of religion. What people come to religion for is an ultimate metaphysical hunger, and when this hunger is not satisfied, religion declines."

The rabbi notes that some branches of Judaism have practiced activism far longer than the Christian faiths in which it is currently popular. He warns, "Having been there for a hundred years and played the game, I can tell you it doesn't work. The very moment that clerics become more worldly, the world goes to hell all the faster."

Beyond that, he continues, both institutional and activist religion today has an overriding fault. "What is left out is religion's main business: Love and God and the transcendent." Many people today are "moving past the social questions to questions of ultimate concern," he says. "They are worried about something more than Dow Chemical and napalm. They are worried about what's it all for. They are worried about—dare I say it—immortality, what their lives are linked into."

Rabbi Hertzberg is certainly right. The trend toward activist religion creates a paradox. Much of the clergy is turning away from religion's traditional concerns just at a moment when those concerns seem especially troublesome to the individual man.

The restlessness-in-affluence so widely recognized today almost certainly bespeaks a human craving for something transcendent. Individuals may have no burning passion for personal immortality, but they seek something to lend meaning and order to the jumble of their lives and time. They seek a sense of meaning and the confidence and self-worth that come with it.

Religion has traditionally been called upon to answer such questions, but has stumbled in this century when its traditional answers have appeared wrong or irrelevant in the face of science. Yet this appearance is often merely that. Nothing the behavioralist psychologists have discovered in their rat mazes, for instance, will tell you as much about human nature as will the Judao-Christian view of man, created in the image of God but marred by original sin.

Whatever its inadequacies, religious tradition represents the accumulation of man's insight over thousands of years into such questions as the nature of man, the meaning of life, the individual's place in the universe. Into, that is, precisely the questions at the root of man's current restlessness.

Modern man seeks something to end his state of confusion and emptiness—in the latest parlance, an antidote for anomie. We do not know if the truths of religious tradi-

tion can be interpreted to satisfy this need. But we are sure that here, not in political activism, is religion's path to new relevance.

CREDIT UNIONS AND CONSUMER COUNSELING FOR THE POOR

Mr. PROXMIRE. Mr. President, I intend to introduce a bill tomorrow authorizing a strong Federal program to help the poor, through credit unions and consumer counseling, to break out of the vicious circle of poverty.

The need for this legislation was made clear at a 1-day hearing on consumer credit problems held last week by the Financial Institutions Subcommittee of the Banking and Currency Committee at which the witnesses were unanimous in the conclusion that the poor do, indeed, pay more. And they pay more, the witnesses agreed, largely because normal avenues of credit are not open to them.

It is tragic and unjust that the low-income consumer should have to pay more for the things he needs than his affluent neighbors. With little ready cash available and no way to obtain normal credit, the poor often are forced to deal with loan sharks and unscrupulous merchants. They see no alternative.

As the Chairman of the FTC, Paul Rand Dixon, testified before my subcommittee last week, ghetto residents patronize the unscrupulous merchants because they offer easy credit. And credit practices rather than price is the basis of competition among such stores for ghetto business.

The result is the poor are charged exorbitant prices and they pay them for grossly inferior merchandise. This is how the cruel and vicious circle of poverty is maintained.

The problem is this: Making the low-income consumer aware of the fact that he is, very often, being charged 60 percent and more above the standard price for just about everything he buys.

What is needed is a workable alternative to the peddler system, to the loan shark and to the poor money management which plague low-income consumers.

The testimony before our subcommittee last week by two officials of the Bureau of Federal Credit Unions—BFCU—William O'Brien and Richard Clinkscals, that an imaginative pilot program under BFCU supervision known as Project Moneywise may provide one approach.

Project Moneywise, which began in 1966 and just expired last month, encouraged the development of credit unions in limited income areas of selected cities as part of community action programs and the development of consumer counseling programs in these areas.

My bill would permit Project Moneywise to continue on an expanded basis. It would authorize grants or contracts with public or private nonprofit organizations designed to promote the organization and the more effective operation of Federal credit unions and consumer counseling programs among the poor.

These things would be accomplished by establishing experimental, develop-

mental, demonstration, and pilot projects designed to improve the techniques of operating low-income credit unions and consumer counseling programs. The bill would also authorize training programs for people who operate the credit unions and the consumer counseling programs.

I believe better consumer counseling is one of the best investments we can make in the war on poverty.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

A bill to further promote the organization and operation of Federal credit unions and consumer counseling programs among the poor, by providing for improved means of furnishing technical assistance through experimental, developmental, demonstration and pilot projects and through training programs carried out in conjunction with other Federal Departments and agencies, State and local governments, private nonprofit organizations, and other organizations

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 21(f) of the Federal Credit Union Act (12 U.S.C. 1766(f)) is amended by inserting "(1)" immediately after "(f)", and by adding at the end thereof the following new paragraph:

"(2) (A) The Director is authorized to establish a program of experimental, developmental, demonstration, and pilot projects, through grants to or contracts with public or private nonprofit organizations, including credit unions, or through contracts with private organizations, for the purpose of improving techniques and demonstrating the effectiveness of specialized methods designed to permit more effective operation of credit unions and consumer counseling programs among the poor; and to provide (directly or by contract) or to make grants to colleges or universities, State or local educational agencies, or other appropriate public or private nonprofit organizations, for training of persons engaged, or preparing to engage, in the operation of credit unions or in consumer counseling programs serving the poor.

"(B) In carrying out the authority in this paragraph, the Director shall consult, where appropriate, with other agencies of the Department of Health, Education, and Welfare and with appropriate agencies within the Departments of Labor, Commerce, and Housing and Urban Development, and with the Director of the Office of Economic Opportunity, in the development or coordination of special projects to be implemented through Federal, federally assisted, State or local programs which the Director determines, have unusual promise in promoting a comprehensive and coordinated approach to the financial problems of the poor."

"(C) There is hereby authorized to be appropriated for the fiscal year ending June 30, 1969, and for each succeeding fiscal year, such funds as may be necessary for carrying out the purposes of this paragraph, as a supplement to any fees that may be expended by the Director pursuant to sections 6 and 7 for such purposes."

SEC. 2. The amendments made by this Act shall become effective July 1, 1968.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business? The PRESIDING OFFICER. Is there

further morning business? If not, morning business is concluded.

AMENDMENT OF THE LAND AND WATER CONSERVATION FUND ACT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1052, S. 1401.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, I have some morning business, and I ask unanimous consent that the Senate return to the transaction of morning business, in order that I might proceed as in the morning hour, without a time limitation.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

SOMETHING FOR NOTHING

Mr. LONG of Louisiana. Mr. President, I have received a wire from the Reverend Abernathy, which I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,
April 23, 1968.

Sen. RUSSELL LONG,
Senate Office Building,
Washington, D.C.:

As an important part of opening the poor people's campaign in Washington I request a meeting with you, Senator Mansfield, and Representatives McCormack and Albert, Monday morning April 29 at 9:30. Our Washington office will confirm arrangements with you.

Respectfully,

RALPH ABERNATHY,
President, Southern Christian
Leadership Conference.

Mr. LONG of Louisiana. This telegram requests a meeting with the leaders of Congress, and I presume a similar request will be made to the President and other members of the executive branch. It, of course, involves a unique experience in American government. Mr. Abernathy plans to come to town to make his demands for various and sundry proposals,

of which I am not aware, although I have some idea of what those proposals will be.

One proposal, as I understand, is to be that everyone be paid approximately \$250 a month, whether he works or not—the so-called guaranteed minimum wage. There will be other proposals along that line.

As I understand those proposals, they generally will mean that those who are working will work harder so that those who are not working can rest harder, and we would then proceed to make poverty a way of life in this country—a very enjoyable way of life for some people. That, of course, is somewhat new to some of us who thought we had been laboring in the poverty vineyard for many years.

I am sure that the distinguished occupant of the chair, the Senator from Virginia [Mr. BYRD], recalls from his boyhood the days when the Senator from Louisiana, the Honorable Huey Long, advocated on the floor of the Senate a share-the-wealth program. Senator Long wanted to tax the rich to give to the poor, and that proposal has always had a lot of appeal to me. I suppose if I had to vote yes or no, I would vote yes for my father's program, which proposed that everything one had over \$2 million would be taken and spread among the folks who had nothing, so that they might live better.

His program was criticized on occasion by some unsympathetic people. Some said that if the share-the-wealth program went into effect, it would not be long before the rich would have all the money back, anyway; that they would find ways to skin the poor out of it.

My father's response was:

Maybe so. But just think how much fun the poor folks will have while all that is happening.

We have labored long for programs in Louisiana to improve the conditions of the underprivileged. The junior Senator from Louisiana is a second-generation laborer in that vineyard. I suppose that when I began my service in the Senate I was regarded as a flaming liberal. I was a strong advocate of the school lunch program, in which Louisiana was one of the great leaders. It had been my privilege to work to help put into effect the most liberal welfare program in the United States, to negotiate with Washington to obtain a maximum amount of Federal matching funds. It was my privilege to work diligently to do whatever was in my power to increase Federal matching funds to provide more adequately for the aged, the disabled, and the needy.

I must admit that some of my ideas at that time greatly shocked the senior Senator from Virginia—who was the father of the present occupant of the chair—the Honorable Harry F. Byrd, Sr. But over a period of time he became adjusted to it, so that he could vote with equanimity for the so-called radical suggestions of the junior Senator from Louisiana, to provide a large amount of additional money to the needy, the underprivileged—the least of them all, as the Saviour would call them; so that in time it even came to pass that the junior Senator from Louisiana would fight for

some amendment to provide more money for the needy, the aged, the orphaned children. The junior Senator from Louisiana having prevailed, the chairman of the committee, the senior Senator from Virginia, Mr. Harry Flood Byrd, Sr., would go to conference and fight to get the House to agree to some part of the proposal, and come back and inform these fine people that we had been able to increase their welfare checks.

Unfortunately, some of the ideas of the junior Senator from Louisiana were frustrated by the State legislature, which passed a law providing that no welfare check could be increased without an act of the legislature. Why they did that, I never quite understood. I presume it was because they wanted to take credit for that increase in Federal matching instead of our taking credit for it. It had been the thought of the junior Senator from Louisiana that if we provided \$5 more for grandma's old-age pension, he could go back and say, "Look what I did for you."

But the State legislature passed a law, so instead of these people getting the increase automatically, they would wait until the next session of the legislature. Then the legislature would pass a law providing for the increase, and would then say, "Look what we did for you."

So the struggle to see who got the credit for the increase has been waged. But the answer has always been the same so far as the State of Louisiana is concerned. We wanted to provide as liberally and as well for the aged, the needy, the underprivileged and the unfortunate as it was within our power to do.

But, Mr. President, there is one principle that we in Louisiana have never been able to get through our minds, and I suppose that possibly has caused us to be regarded as reactionaries and racists today, whereas we were regarded as flaming liberals 20 years ago. That is the principle that people who could work should be willing to work for what they intend to get. That is not meant to criticize those who cannot work. Our theory has always been that a little child should be fed and well provided for, that a mother who has children to care for should be provided for if she cannot find adequate employment, and we always felt that we should provide for the disabled.

The junior Senator from Louisiana is old-fashioned, somewhat like the able statesman who occupies the majority leader's chair at this moment, the distinguished Senator from West Virginia [Mr. BYRD]. I have always felt that people who can work, should work. I have always felt that there is something noble, worthwhile, and constructive about working for a living.

While, of course, we approve of leisure and recreation, we believe it has no meaning unless someone has contributed something to society for its purpose.

Mr. President, if the junior Senator from Louisiana had his way, as the chairman of the Committee on Finance, he would like to impose an even heavier tax on people who inherit money, if they have never done a day's work. So, before they receive a large amount of money to

fritter away on meaningless and useless things, they would have to do something constructive.

I regret very much that there has been some misunderstanding between the junior Senator from Louisiana and the group that calls itself the Welfare Mothers. Senators will recall that some time ago, while we were conducting a hearing with regard to the social security bill, we had a sit-in strike by an organization which is spreading across this land.

They are a little bit slow in collecting dues but they are getting plenty of members. This is a united organization of welfare clients, patterned somewhat after labor organizations. The purpose of the organization is to bind together people who are not working and who are doing nothing for society, to organize themselves to demand greater and greater payments from government; more and more for less and less.

Those people came in and protested the suggestion of some of us that these people should be asked to do some work as a condition for receiving welfare payments. I am not one to suggest that a mother should be required to abandon her children in order to seek employment; not at all. But if there is someone else available to look after that child, or if we could provide a daycare center to provide for that child while the mother pursues constructive employment, that would be a better answer than to have that person just sitting around drawing money at Government expense, when that person could be doing some constructive labor.

I shall not identify the people, but I would like to give an illustration or two of some people who have worked for me. One person was a fine colored woman. This fine Negro woman had a child who was the outstanding child of her class. Many of us in the community banded together to provide money for that little girl so that she could advance herself through education. She received awards and merits which she was well justified to receive because she was so talented and able. One of the reasons she was such a fine child and a credit to the community was that her mother was a fine mother. Having no one else to help her, her mother went to work, provided opportunity, helped in every way she could, and she inspired other people to follow her pattern.

I am well aware of another very fine mother who, upon the death of her husband, simply worked a little harder and worked a little longer, and she tried harder to provide opportunity for her children. Very fine children they are, indeed, in some measure due to the fine inspiration set by that mother.

One of the problems we have had with this welfare program is where a mother does not work, does not seek work, and has no interest in justifying her pay from society. Some of these mothers have not spent the money they received for the children, but instead, have spent it on frivolities. One problem has been when we would provide a welfare check for the child and a welfare check for the mother, so that the mother could stay

there and look after the child, there have been instances where mothers would take that money and not purchase milk and bread, but instead would buy wine, whisky, cigarettes and other frivolous things.

Mr. BYRD of West Virginia. And men.

Mr. LONG of Louisiana. The Senator from West Virginia has made the point that some of that money has been spent by some of those mothers on men, who are equally unworthy of their keep, with the result that we have on occasion had to seek some responsible person to spend the money in such a way that it would benefit the child.

Mr. President, there is no doubt that we will fight that battle again this year, of whether we are going to provide money to pay people to be worthless, to be useless, to be of no account; or whether we are going to insist that, in consideration of society supporting them, they do something to help themselves. I look forward to that matter. I believe the Senate reflected on itself poorly when it voted erroneously, in my opinion, on that issue. I think when the matter is fully understood the Senate will change its mind.

I wish to tell Reverend Abernathy that while I shall be glad to come back and rearrange my affairs to meet with him and his group, if he thinks he is going to intimidate the junior Senator from Louisiana he is making a mistake. As far as I am concerned, be it Reverend Abernathy, Stokely Carmichael, or anybody else, if they want to hold demonstrations, march around, parade, and carry signs expressing their views, that is all right. I would be glad to go to see the parade. However, if they think they can intimidate the junior Senator from Louisiana into voting to bankrupt this Government by paying people to be more worthless than they are, or by paying people who refuse to work, they are making a mistake.

Mr. President, I do own property in Washington, and I have invested money in it. As far as I am concerned, when that bunch of marchers comes here, if they want to do so, before I would yield to that kind of demand, whether done through riots, marches, or intimidation, they can just burn down the whole place and we will move the National Capital somewhere else where we have someone who has courage enough to enforce the law and put those rioters in jail.

Nothing could disgust this Senator more than to hear on television that the Attorney General of the United States has said that human life was more important than property rights, and for that reason this Government of the United States was not going to shoot any criminal seeking to escape from a crime he had committed.

Oh, Mr. President, it is strange how people can be prejudiced in the name of being unprejudiced and how discriminating people can be in the name of non-discrimination.

I have made the statement that if someone were guilty of arson, if someone were guilty of looting, if someone were guilty of burning the city down, if someone were guilty of stealing the prop-

erty of people, at a time when the Government was defenseless to shoot those people, they should be shot before you let them escape, and bring that riot to an end.

I have received a telegram, and I have read in the press that an official of the National Association for the Advancement of Colored People has described the junior Senator from Louisiana as sounding more and more like a racist.

Mr. President, I did not say you should shoot a Negro, I did not say you should shoot a Chinaman, I did not say you should shoot a Caucasian, or a Baptist, or a Catholic, or a Protestant. All I said was that a criminal should not be permitted to get away with that kind of criminal conduct. He should be caught and stopped before he gets away, even if it is necessary to fire a rifle bullet or a pistol shot at him. That is how it has always been. It is only in these new days, in this new program, that we are told criminals must not be punished, apprehended, or accept the risk that heretofore attended criminality.

One could say: Look at the great success we had in Washington at a very small loss of life; there has been more loss of life somewhere else where other riots have occurred. Of course, that can be contended.

Mr. President, recently we had a parallel experience in Louisiana, with no loss of life whatever.

Can Senators guess why?

Because we have an old-fashioned Governor in the State of Louisiana who went on radio and television and said:

I want to tell you people that I will protect your rights. You can march on your State capital and no one will lay a hand on you, no one will hurt you, and no one will touch you at all. But, the moment you start shooting, the moment you start breaking someone's store window, the moment you start rioting, the moment you start injuring anyone, whoever starts that business will be shot. I have instructed the State police to shoot quick. Whoever they must shoot will be left to lie where they fall until we have put down the riot and then we will be back and pick up and haul them away.

What happened? We did not lose one single life. No one received a scratch. No one was hurt.

Why? Because we have an old-fashioned way of doing business in Louisiana, of telling potential rioters that if they riot they will not get away with it, they will be punished, and they will regret it.

The demonstrators demonstrated, and speeches were made. It was all done in a peaceful manner and then they all went back home where they came from.

Let me add that the Negroes were protesting on the State capitol grounds and only 5 miles away the Ku Klux Klan was holding a meeting. Yet no one was hurt because we have the kind of old-fashioned law enforcement that has proved to be successful in the past, and I am sure will prove to be successful in the future.

In other words, law and order should prevail. It must be sustained. If it is not sustained, then those who have the responsibility of maintaining that law and order should be voted out of office.

I say that, Mr. President, as a Demo-

crat. I say that as a member of the majority on this side of the aisle. I say that we have the responsibility of making every citizen in this country secure in his home, in his property, and in his rights, and that the laws passed by Congress, including the Constitution of the United States as adopted by our forefathers, must be upheld.

Mr. President, let me make clear that so far as I am concerned, the Reverend Abernathy can come on up here, Stokely Carmichael can come on up here, and if our good judge in Louisiana can find it in his heart to let one of my constituents, Rap Brown, out of jail, he also can come up with them and they can make all the mischief they want—all the mischief the Federal Government in Washington, D.C., will permit them.

And, if any Senator comes before the Senate and asks us to bend the knee to protect law violators, then we should consider censure, or consider expelling him from the Senate, rather than let the Government of the United States be run by law violators.

If demonstrators wish to obey the law, more power to them. God bless them. If they want to express their opinions and explain what they have in mind, propose to do it peacefully, and feel that to demonstrate is the only way they can express themselves, they can do that in order to explain what their problem is. More power to them. I shall be glad to consider what they have in mind.

But, Mr. President, the people of this country are getting enough of that kind of thinking that lets our Government be run by rioters.

I do not believe that there is any State in the Union where a majority of the people would vote to support the philosophy of the Kerner Commission report, that we should give the rioters and the lawbreakers what they demand and maybe they will quit breaking the law.

Mr. President, every mother in America knows that will not work. Every mother knows that if a child misbehaves and is not corrected, possibly chastised, and made to realize he did wrong and to feel repentant about it, that child will continue to misbehave.

To reward a child for making mischief is only to make a bad child.

It is somewhat parallel to the proverb "spare the rod and spoil the child." A child must be taught to behave.

The same thing is true of the criminal element in this country. They must be taught to obey the law. While it is true that some of them have just cause for complaint, if they do not stay within the bounds of propriety, those who would sympathize with them, cannot and should not give the time, help, and support they would give otherwise.

I say it is no credit to this country, and it is no credit to the Kerner Commission, that that Commission proceeded to recommend that we give rioters what they are rioting about. In fact, I would venture to assert that half the rioters did not know what they were rioting about. A lot of them saw some disorder going on in the streets. They saw someone break a store window. They said, "Here is a good chance to steal a television set," so they joined the mob. Off they went. They did not know how the

riot got started. They just wanted to steal something.

I read in the press that someone was asked about the rioting in this town, after that person had participated in it. He was asked, "What are you rioting about?" He said, "We are just fed up with the general situation."

Consider that particular individual. Had he been willing to go to work and accepted some training to get a job and help himself, he would not have had to be "fed up with the general situation." He would have been earning some income, or at least very much more than he was probably earning beforehand, and would have been able to provide for himself.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. BYRD of West Virginia. Let me say, with regard to the shooting of rioters, it has been the law that a policeman is under a duty to arrest anyone who commits a felony. He may use whatever force is necessary to make and maintain that arrest. He is also under a duty, if he cannot make and maintain the arrest, to prevent the escape of the felon and he can use whatever force is necessary in order to prevent the escape of that felon. He may shoot a fleeing felon in order to prevent his escape if all other means have been exhausted.

Riot or no riot, that is the law.

When an individual heaves a molotov cocktail into a building and sets that building on fire, that is arson. It is a felony.

When an individual heaves a brick through a store window, enters the store and makes off with stolen goods, that is burglary. It is a felony.

A policeman is under a duty to prevent the escape of a fleeing felon. If he cannot prevent the escape in any other way, after all other means have been exhausted, then he may shoot that felon.

There has been a great furor about what Mayor Daley said.

I am on Mayor Daley's side.

I do not care who in this town takes issue with him. I do not care what office that individual in this town may hold, or how high up it may be. I think that Mayor Daley was merely stating the law. He was expressing a greater concern for the victims of felons and for future victims than for the fleeing felon. In my judgment, he stated the right priority. I called Mayor Daley yesterday on the telephone to commend him on his stand.

Mr. President, I am tired and the law-abiding public is tired of this pussyfooting by the Attorney General of the United States—who recently clashed with Mayor Daley—or by anyone else. Name him—I am tired of it, and the American people are tired of it.

I wonder when our leaders in Washington are going to come to their senses and take a firm, unequivocal, unmistakable, and strong stand against rioters and all those who commit acts of violence. Such a stand is long overdue. Of course a policeman should not shoot a child. Of course a policeman should not shoot into a crowd. But when a curfew has been instituted, as it was here in

Washington—and it was effectively instituted—the criminal element should be warned, that if they persist in rioting and committing acts of violence, they will do so at risk of life and limb. And then, if they persist, let the criminal element suffer the consequences.

The criminal element understand one language, and understands it well—and that is the language of force. No criminal is afraid of a gun that is not loaded or of a policeman or soldier who is under orders not to shoot.

Mr. President, I do not want to see loss of life any more than any other high official of this Government wants to see loss of life; but I say it is up to the criminal element. They know the law; let the warning be issued. If they fail to heed it, let them suffer the consequences.

Government has a right to survive. Law-abiding people are entitled to protection of their lives and properties.

The first duty of government is to enforce the law and preserve order. This is the first priority, for without order there can be no liberty—only anarchy. Without law, there can be no rule of reason—only tyranny.

As far as the march on Washington is concerned, that is receiving a great deal of attention by many people. As far as Mr. Abernathy is concerned, I have not received any telegram from him asking that he meet with me. I may yet receive one.

Mr. LONG of Louisiana. Mr. President, if the Senator will yield at that point, may I say that perhaps Reverend Abernathy thought the junior Senator from Louisiana might be a better prospect for his demands than the Senator from West Virginia, who, if I do say so, has made fairly clear how he feels about these kinds of matters.

Mr. BYRD of West Virginia. I have only this to say. Of course, any citizen of this country has a constitutional right to a redress of his grievances, and as long as he proceeds through the proper channels, nobody can find fault with it. But here is one Senator who—if I may paraphrase a statement by Charles Cotesworth Pinckney, when he was serving as Minister to the French Republic—will vote millions for necessary, feasible programs when they can be justified through the orderly legislative process, but not 1 cent for blackmail.

The Federal Government is spending \$25 billion annually now on the poor, and I have voted for many programs to benefit the poor. But the time has come for men in this country who believe in law and order to take a stand; and if there are no others who will do that, here is one who will. Let Mr. Abernathy take note of that.

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Riots: The Civic Triumph School," written by Frank Getlein, and published in the Washington Evening Star of April 24, 1968; and an article entitled "Crackdown Urged on Inciters of Violence," written by Crosby S. Noyes, and published in the Washington Evening Star of today, April 25, 1968.

There being no objection, the articles

were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Apr. 24, 1968]

RIOTS: THE CIVIC TRIUMPH SCHOOL

(By Frank Getlein)

More quickly than might have been expected, the recent riots, looting and arson in Washington are being transformed into a civic triumph roughly comparable, if not to the winning of the pennant by the lowly Senators, at least to their finishing in the first division.

This considerable feat of intellectual legerdemain is only possible because of a subtle shift in our riotous standards. Formerly, riots were measured by the number of people killed and injured, the number of buildings burned down, the value of merchandise looted, the replacement cost of store windows and the like, the cost of extra police, firemen, National Guardsmen and federal troops, the cost of normal business made impossible during and after the events, and, certainly in a city like Washington, the loss of tourist business at the height of the tourist season.

Those time-hallowed measurements of riot cost accounting have been junked this year in favor of the single standard. A riot, it is now believed, is measured solely by how many lives of alleged rioters are lost. If a lot of presumed arsonists and apparent looters are shot in the act or trying to get away, this is evidence of police brutality and reason enough for the riot. (That's a little tricky, since the cause follows the effect, but it can be managed easily enough if you realize that police brutality, even though it actually takes place during the riot, may be anticipated by rioters and therefore serve as the inciting cause.)

On the other hand, if the riot produces more looters than shooters, if presumed arsonists and apparent burglars are not shot in great numbers, the riot is presumed to be a success.

Such was the case in Washington. Troops were not called in until quite late in the game and did not arrive until 24 hours had passed. The first contingents went straight to the Capitol and the White House, confident in the knowledge of who runs the Army and who passes military appropriations. When troops finally did get down to the disturbed areas, they did not shoot. Nor did they employ any of the more sophisticated weapons of riot control. They relied on their massive presence to cool things, and eventually their presence did.

The riot was a success. A mere handful of people were killed. Furthermore, one of the police officers involved in one of the deaths was had up for homicide. There was little bitterness on the part of looters and arsonists, such as has been noted in cities where looting and arson have been more vigorously opposed. The riot was an educational experience for police and public. It taught that you don't have to shoot arsonist and looters, as had been previously believed. You can let them go about their business and eventually they get tired.

The educationists who were cheered up by the success of the riot have also pushed on to extend the learning experience. As soon as it was learned that some thousands of people were in custody on a variety of charges, proposals were made to keep that bitterness from the hearts of arsonists and looters. There had been announced a \$300 fine for curfew violations. This was reassessed by advocates of the new learning down to \$25 as perfectly adequate to teach every violator what he ought to know, presumably that it's easier to make off with \$25 worth of goods than it is to grab \$300 worth.

The second educational proposal was to waive jail sentences, with all their attendant

bitterness on the part of those serving them, and sentence those found guilty to help in clearing up the damage and rebuilding the lost property. They would be paid, of course, normal construction rates. The scheme has the desirable element of self-help about it that has so long been lacking in the field: First you break the windows, steal the merchandise and set fire to the store, then you get a job building it back up again.

The obvious next step is to make the whole process self-generating. After rebuilding come the next riot, the new destruction, the hiring of the arsonists and so on. It certainly could be the answer to the problem of jobs in the ghetto.

There is one minor flaw, but it is easily remedied. The teaching materials for the educational experience were the private property of some dozens of small businessmen, many of them uninsured, underinsured, or, now, uninsurable. They probably favor education as much as the next man, but, on the other hand, they have responsibilities of their own and may well decide—if the decision is theirs at all—to reopen in some other neighborhood.

Therefore, in addition to rewarding the rioters for their lack of bitterness at finding sharkskin when they wanted Harris tweed, the government should buy the ruined businesses at pre-riot prices and keep them up as permanent schools in self-improvement.

[From the Washington (D.C.) Evening Star, Apr. 25, 1968]

CRACKDOWN URGED ON INCITERS OF VIOLENCE

(By Crosby S. Noyes)

The time has come to crack down on the crackpots and hard. It is time to put out of circulation for as long as possible all of the individuals and organizations in this country, black and white, who are deliberately and openly inciting to violence and race warfare.

Few democratic societies in the world would tolerate the murderous activities of such outfits as the Revolutionary Action Movement, the Black Panthers or the grotesquely misnamed Student Nonviolent Coordinating Committee. Most would have long since outlawed the hate merchants passing as Minutemen, Klansmen and American Nazis.

Tolerance of such groups is a luxury which the United States can no longer afford. The danger which they represent to the fabric of American society is clear and imminent. The prompt removal of their leaders from circulation would do more to cool the fever of our cities than all the appeals for law and order put together.

Consider, for example, the case for tolerating the likes of Stokely Carmichael. Within hours of the murder of Martin Luther King in Memphis, Stokely was telling his friends in Havana that the American revolution was now in full swing.

"More people," Carmichael assured his listeners, "are now beginning to plan seriously a major urban guerrilla warfare where we can begin to retaliate not only for the death of King but where we can move seriously with this country to bring it to its knees."

Bluff and bluster? Perhaps. But it would be a very serious mistake to underestimate the potential of even a small group of dedicated conspirators.

The most competent officials of the government believe that under present conditions a few dozen men in as many major cities could quite easily start riots which would overwhelm the police and military forces presently available for riot control.

If the outbreaks of violence were planned and carried out simultaneously, it would be physically impossible to move troops into all the trouble areas simultaneously. And if this should happen, a number of major cities could quite literally be burned to the ground.

In fact, there is some reason to believe that the shooting of Dr. King caught Carmichael and his fellow conspirators unprepared. The unexpected pretext for violence was irresistible and, in fact, rioting broke out more or less spontaneously in a number of cities.

But Carmichael & Co. were unable to exploit the outbreak for their own purposes. His appeal to the crowd to "get you a gun" had a ring of improvisation and mercifully went unheeded. As the riot ran its course in Washington, Stokely was nowhere in evidence.

Yet very surely there will be a next time. The recent riot demonstrated once again how little relationship there is between the immediate cause of an outbreak and the motivation of those who take part in it. In the course of the coming summer, during which this city will be subjected to planned demonstrations, perhaps involving many thousands of people, amply opportunity will present itself for a more carefully prepared explosion.

If this is reason enough for preventing the planned demonstrations, it is surely all the more reason for lowering the boom now on Stokely and his friends. The safety of the city demands it, including most especially the safety of the black community, which will be the chief victim if Carmichael succeeds.

Last year in New York, 12 members of RAM were arrested for plotting the assassination of Roy Wilkins, the head of the National Association for the Advancement of Colored People. Today, the assassination of whole cities is being plotted, and virtually nothing is being done about it.

The laws to put Stokely and his friends out of business are on the books. The new District Crime Reduction Act includes an anti-riot section which provides penalties up to \$10,000 and 10 years in jail for anyone who incites a riot resulting in serious bodily harm or property damage exceeding \$5,000.

So far as most people are concerned, a man who urges a crowd at the onset of a riot to go home and get their guns qualifies conspicuously under the provisions of this law. But though the Justice Department has been investigating Carmichael's case for weeks, he is still very much at large. The final decision rests with Attorney General Ramsey Clark, who would be well advised to stop pussyfooting and crack down before it is too late.

Mr. LONG of Louisiana. Mr. President, I applaud the senior Senator from West Virginia—Mr. BYRD of West Virginia reminds me that he is the junior Senator from West Virginia, and I want to correct the RECORD. I admire both Senators from West Virginia very highly.

May I say that in recent months my admiration for the junior Senator from West Virginia has steadily increased because of his statesmanship and political courage. The junior Senator from Louisiana can recall those days when not a single member of the West Virginia delegation would dare say anything or vote in any respect that might be misunderstood or misconstrued by some minority elements that might not understand his worthy purposes.

The junior Senator from West Virginia has made it clear time and again that, much as his sympathy and heart go out to the less privileged, as one who would stand up and vote for them—and may I say that I have never seen a time when the junior Senator from West Virginia failed to vote for money to provide for the underprivileged and needy—yet when it comes to the robber or burglar or looter or any criminal element who would

undermine this country, he would enforce the Constitution the way it was construed by the Founding Fathers—not in the way it has been decided by those whom we used to call Justices of the United States, but the way the Founding Fathers intended it and the way it was construed for the first 150 years of this great Republic.

Mr. President, I have made reference to the fact that a high-ranking member of the NAACP condemned the junior Senator from Louisiana for saying law violators ought to be shot before they are permitted to escape. I am not talking about a trivial violation. I am talking about a felony. If I had made that statement about some member of the Ku Klux Klan who threw a fire bomb into a Negro church to burn it down, that same member of the NAACP would have applauded me and said the junior Senator from Louisiana was showing great statesmanship.

This Senator knows what it is to take a stand and then have every member of white citizens groups and the Ku Klux Klan pass resolutions asking that he be removed from the Senate. He knows what it is to have those who bear prejudice on the other side react against him. But the only way we can ever have law and order, the only way any citizen, be he black or white, or some color in between, or be a member of some other race such as the Oriental race, and the only way we can have peace and prosperity and progress in this country is to see to it that everyone obeys the law.

As the senior Senator from North Carolina [Mr. ERVIN] has been heard to say so ably on the floor on occasion, when we say in this country that a citizen may decide for himself what laws he is going to obey and may decide for himself what laws he is not going to obey, that is the time of anarchy, that is the end of government as we have known it.

Mr. President, real freedom cannot exist without government. There are too many people on this planet, and certainly too many in this country, for us to roam around like animals in the jungle. The time has come when we must insist that every citizen obey the law. That applies to Reverend Abernathy, as indeed it applies to every other citizen in this country. It applies to Stokely Carmichael, as indeed it must apply to every citizen of our country. People have asked this Senator how he can get away with what he is doing—going around the world, appearing on radio and television programs, describing this country as a bunch of assassins and murderers and criminals, including the leaders of our Government, and indeed the country itself; putting our courageous fighting men, by his words, in a position of being pictured as murderers and assassins. How can he get away with it?

It is difficult for this Senator to explain how he gets away with it. I know this: He would not be getting away with it in Louisiana. We would find a way to handle him in Louisiana.

Rap Brown was born and reared in Baton Rouge. He was removed from that community, taken from one jail and put in another jail, where he can be tried for

crime. If Rap Brown wants to try the kind of conduct in Baton Rouge that he tried in Cambridge, Md., I suggest that he go back to his old hometown and try it. He will be shot. I do not mean he will just be shot—he will be shot to death, and that will be the end of his mischief—not that we want to do it, but our people have made it clear that they believe in old-fashioned law enforcement. That is why we have not had trouble with Rap Brown.

So he is directing his activities elsewhere.

Mr. President, I hope we are willing to do everything that can be justified to help the less privileged. But the best thing we can do for any of them is to help them to help themselves—help them to learn a skill, help them to learn to work, help them to qualify for jobs and to earn good pay.

That is the old-fashioned kind of welfare that the junior Senator from Louisiana learned about a long time ago. It is the kind of welfare he was taught by his father and his grandfather—that you should always help someone in need, if you have to give him the shirt off your own back. The kind of welfare this Senator learned about preceded the day when the Federal Government got into the business. It goes back to the days when, in my home, no one ever went away hungry, no matter who he was, no matter what race. If he came and rapped on that door, and said, "I am hungry," my mother, my father, my grandfather, or someone would feed him.

As a matter of fact, it got to be a kind of standing joke, when my father was a struggling young lawyer, with a flair for politics. Most of the hoboes around town figured he ought to be a soft touch, and they would catch him when he came out of his office building, and say, "Can you spare a quarter for a hungry man?"

So, in self-defense, he made a deal with a fellow who had a little restaurant, and he would say, when accosted, "Go over there and get you some turnip greens and cornbread and some fatback," and any time someone would come around and ask Huey Long for a hand-out, he would send him over there to be fed. And, may I say, that arrangement just about saved the Long family from bankruptcy; but any time anyone came around and wanted some help, he would be fed and cared for.

We were always taught to do what we could to help those who were less privileged, even if it meant considerable sacrifice to oneself. And when it came to asking the Government to do something about it, asking the Government to appropriate money was a very meaningful thought, as far as the junior Senator from Louisiana was concerned. I have fought to amend the social security bill, not just to increase benefits and provide more money, but to say that, with regard to any of the people on welfare, if they want to go to work, they can continue to draw that welfare check and keep every nickel that they make, up to a certain amount. I have offered, supported, and fought for that kind of amendment down through the years, feeling that the highest form of charity is not a mere handout to a hobo, but to help a hobo to

be a worthwhile person—not a mere giveaway to someone who is earning no money, but to help that person to be a useful member of society, to be one who carries his own burdens and does his part to help others.

GUN CONTROL

Mr. LONG of Louisiana. Mr. President, I note in today's Washington Post there is an editorial entitled "Arming for Anarchy," which condemns the National Rifle Association and others who do not agree with the views of the Washington Post about gun control.

Mr. President, would that the Washington Post had taken a parallel attitude when I was trying to do something about those who throw molotov cocktails, those who manufacture incendiary devices, and those who produce and use Claymore mines to kill people in the course of a civil insurrection.

Fortunately, notwithstanding the efforts of the Washington Post, I was able to get that amendment agreed to, so that at least we have a law that will do something about these people who bring these incendiary and explosive devices to Washington, to burn this city down or destroy it. At least we now have something in the law permitting something to be done about it. Not that it will do us any good, if the Attorney General is going to take the attitude that was evidenced on nationwide television, when he said that personal rights are so much more important than property rights that a felon is not to be apprehended.

Mr. President, I for one have pondered the gun control problem for a long time. To me, the answer is fairly simple. Rather than provide all sorts of complicated regulations to say who can and who cannot own a gun, I believe we should simply provide that anyone who has ever been convicted of a felony shall not be permitted to buy or possess a firearm or any sort of weapon that could be used to take the life of another citizen.

That would be a good beginning, and would seem to be something everyone could agree upon. Such a law would not keep people from having weapons for recreation purposes, or hunting, or for defense of their own homes; but at the same time, it would hinder people who have done much mischief and much harm to society from going forward with that kind of conduct.

I ask unanimous consent to have printed in the RECORD the editorial entitled "Arming for Anarchy," published in today's Washington Post.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ARMING FOR ANARCHY

The Senate is going to have a chance—despite all the stubborn resistance and evasion of the National Rifle Association—to consider some rational regulation of firearms. Even so, the NRA has succeeded in watering down the moderate and sensible gun control proposals recommended to Congress by President Johnson. And there can be little doubt that it will fight against even the remnants of regulation that remain in the measure approved Wednesday by the Senate Judiciary Committee. Nothing quite like the obduracy of this insensate lobby has

been exhibited in public affairs since the time of Louis XIV.

The NRA has advanced the argument editorially that the "armed citizen represents a potential community stabilizer." From the pages of a single edition of *The Washington Post*—Wednesday's issue—we have culled some instances of the contribution to a stable community made by the unrestricted proliferation of firearms.

One story tells of an Alexandria coffee shop owner who grasped a rifle and an automatic pistol to repel a group of youths he suspected of vandalism—and, firing a volley of shots in his independent effort to stabilize the community, critically wounded a patron of the coffee shop who tried to help him.

Another story tells of a newspaper carrier boy, mistaken supposedly for an intruder when he was delivering a copy of this newspaper at 6 o'clock in the morning, who was shot in the right leg by a householder stabilizing the community with his private arsenal.

Still another story concerns a District policeman, now in critical condition as a result of a quarrel with his wife who fired four shots at him in an effort to stabilize the situation in their particular household. Still another is about three men, two of them armed with community stabilizers in the form of pistols, who escaped with about \$4500 from a branch of the National Bank of Washington. And, finally, the day's grist produced also a small item about a cashier at a Drug Fair branch who was induced at gunpoint—in the interest of community stabilization, of course—to turn over about \$235 to a man who appeared at her cash register with a stabilizer in his hand in the early afternoon.

The proliferation of these deadly weapons—the ease with which every hoodlum, hophead, punk, felon and amiable but indiscreet householder can get possession of them—has turned Washington and every other metropolitan center in America into a jungle where death may stalk every innocent passerby because some armed idiot chooses to take community stabilization into his own hands.

If Congress lets the National Rifle Association and its greedy collection of backers hoodwink it once more into thwarting effective firearms control, it ought to have its heads examined—by the electorate. The latest Harris poll on the subject shows that the American people favor the passage of Federal laws which would put tight controls over the sale of guns by a margin of 71 to 23 per cent. It's time to give that majority some attention.

RIOTS AND THE MARCH ON WASHINGTON

Mr. LONG of Louisiana. Mr. President, the conduct of the vital functions of the U.S. Government in the Nation's Capital is being seriously threatened by the actions of a handful of self-appointed "leaders of the poor." These disciples of lawlessness and civil disorder are in the process of hoodwinking thousands of the poor and downtrodden in our society that the way to get what they want is to stage a mass "camp in" or "sit in" in our Nation's Capital—the object being to disrupt the work of our Government and thus blackmail Congress and the President into acceding to any and all of their demands no matter how outrageous or unjust some of them may be.

Mr. President, what these people are not being told is that Congress is made up of intelligent and honorable men who are not about to be bludgeoned into submission to the demands of anyone. This

Senator, for one, has voted and strived consistently for programs designed to alleviate the blight of the underprivileged. But, Mr. President, I will never bow to threats, intimidation, or blackmail.

I commend to Senators an article on this subject in today's Washington Evening Star by Columnist Crosby S. Noyes. I agree with Mr. Noyes that "tolerance of such groups is a luxury which the United States can no longer afford."

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CRACKDOWN URGED ON INCITERS OF VIOLENCE (By Crosby S. Noyes)

The time has come to crack down on the crackpots and hard. It is time to put out of circulation for as long as possible all of the individuals and organizations in this country, black and white, who are deliberately and openly inciting to violence and race warfare.

Few democratic societies in the world would tolerate the murderous activities of such outfits as the Revolutionary Action Movement, the Black Panthers or the grotesquely misnamed Student Nonviolent Coordinating Committee. Most would have long since outlawed the hate merchants passing as Minutemen, Klansmen and American Nazis.

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Consider, for example, the case for tolerating the likes of Stokely Carmichael. Within hours of the murder of Martin Luther King in Memphis, Stokely was telling his friends in Havana that the American revolution was now in full swing.

"More people," Carmichael assured his listeners, "are now beginning to plan seriously a major urban guerrilla warfare where we can begin to retaliate not only for the death of King but where we can move seriously with this country to bring it to its knees."

Bluff and bluster? Perhaps. But it would be a very serious mistake to underestimate the potential of even a small group of dedicated conspirators.

The most competent officials of the government believe that under present conditions a few dozen men in as many major cities could quite easily start riots which would overwhelm the police and military forces presently available for riot control.

If the outbreaks of violence were planned and carried out simultaneously, it would be physically impossible to move troops into all the trouble areas simultaneously. And if this should happen, a number of major cities could quite literally be burned to the ground.

In fact, there is some reason to believe that the shooting of Dr. King caught Carmichael and his fellow conspirators unprepared. The unexpected pretext for violence was irresistible and, in fact, rioting broke out more or less spontaneously in a number of cities.

But Carmichael & Co. were unable to exploit the outbreak for their own purposes. His appeal to the crowd to "get you a gun" had a ring of improvisation and mercifully went unheeded. As the riot ran its course in Washington, Stokely was nowhere in evidence.

Yet very surely there will be a next time.

The recent riot demonstrated once again how little relationship there is between the immediate cause of an outbreak and the motivation of those who take part in it. In the course of the coming summer, during which this city will be subjected to planned demonstrations, perhaps involving many thousands of people, ample opportunity will present itself for a more carefully prepared explosion.

If this is reason enough for preventing the planned demonstrations, it is surely all the more reason for lowering the boom now on Stokely and his friends. The safety of the city demands it, including most especially the safety of the black community, which will be the chief victim if Carmichael succeeds.

Last year in New York, 12 members of RAM were arrested for plotting the assassination of Roy Wilkins, the head of the National Association for the Advancement of Colored People. Today, the assassination of whole cities is being plotted, and virtually nothing is being done about it.

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So far as most people are concerned, a man who urges a crowd at the outset of a riot to go home and get their guns qualifies conspicuously under the provisions of this law. But though the Justice Department has been investigating Carmichael's case for weeks, he is still very much at large. The final decision rests with Attorney General Ramsey Clark, who would be well advised to stop pussyfooting and crack down before it is too late.

Mr. LONG of Louisiana. Mr. President, I have another syndicated column of recent date that warns of the dangers inherent for our society in condoning criminal acts in civil disturbances and coddling the persons who perpetrate them.

In the April 19, 1968, edition of the New Orleans Times-Picayune, Mr. Ralph de Toledano lays particular stress on the policy of seeming to ignore or excuse the incendiary remarks of those on whom the blame must rest for stirring up much of the hatred and lawlessness in our cities.

In the case of the major riots—

Mr. de Toledano notes—

there is sufficient evidence to show that men of ill-will were at hand to urge on the innocent and the ill-advised, hoping to involve them in their own self-destruction.

And he wisely notes:

Whatever excuses can be made for the looters and the arsonists, they certainly do not apply to those who cold-bloodedly exploit Negro misery and Negro frustration for what can only be described as acute subversion.

I ask unanimous consent that the full text of Mr. de Toledano's recent article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COLLAR RACIAL AGITATORS: SAYS RIOT INCITERS PREVENT WORK ON REAL ISSUES

(By Ralph de Toledano)

It is an article of faith among some liberals that the recent riots were purely spontaneous—the result of long-standing Negro grievances and understandable hooliganism among the younger people. This, of course, is what the Kerner commission reported.

But the facts have not yet been fully imparted to the American people.

Whatever excuses can be made for the looters and the arsonists, they certainly do not apply to those who cold-bloodedly exploit Negro misery and Negro frustration for what can only be described as acute subversion.

I belabor this point because failures to understand the full causes of the riots leaves law enforcement officials at a disadvantage in coping with future outbreaks. It is not nationally known, for example, that Washington almost erupted last Sunday night. Had there been a second riot, it would have been attributable almost entirely to the work of agents provocateurs.

Two teenage girls, rivals for the affections of a boy, were the spark. One of the girls dashed to the home of the other girl with mayhem on her mind. The girl's father tossed her out. There were rumors that he had drawn a gun, and the first girl's brothers dashed to the scene seeking vengeance. At this point a crowd gathered and the police were called. There was a fracas, but it would have petered out.

Then a man appeared, moving quietly among the bystanders, egging them on to demand a parley of the interested parties then and there. When there were police objections to this, the man pressed for action. "Talk or burn," he repeated as he moved from group to group, "talk or burn."

Police and FBI reinforcements were called. Violence seemed inevitable until a local priest persuaded the two brothers to come with him to his church, and the crowd dispersed.

Who was the man? Where did he come from? Had a riot broken out, it would have been attributed to "police brutality" or to "tension"—or you name it. What brought it to the edge of crisis were his ugly ministrations. Did the police question him? They did not. Was he arrested for incitement to riot? He was not.

In the case of the major riots, there is sufficient evidence to show that men of ill-will were at hand to urge on the innocent and the ill-advised, hoping to involve them in their own self-destruction.

Until they are removed, there can be no solution to the problem of America's racial tension. There can be no understanding of the issues, no way to restore sanity to America's cities. The subversive extremists want no solutions. They hope for as much violence as possible, for as much backlash. The moment there is a relaxation of antagonisms, the extremists lose out, finding themselves isolated and impotent.

TAX INCREASE

Mr. LONG of Louisiana. Mr. President, there is one further item I wish to discuss under morning hour business. This is a very worthwhile article entitled "Settling of Johnson-Mills Fiscal Feud Makes Tax Rise Nearly Inevitable," written by Messrs. Rowland Evans and Robert Novak, and published in today's Washington Post.

Mr. President, some people have misunderstood what was delaying the conclusion of the conference report on the revenue measure which passed the Senate some time ago. The logjam, may I say, exists mainly because it is not clear precisely what the House of Representatives wants to do about a revenue measure, or about a limit on spending. The press has widely publicized the fact that Chairman MILLER of Arkansas, has indicated that he would oppose any sort of tax bill unless there were some effective control over spending.

That makes reasonable sense. The Senator from Louisiana, as chairman of the Committee on Finance, certainly

knows that members of the tax-writing committees do not like to continue to raise taxes if all that means is that the Government will increase spending.

So the chairman of the Committee on Ways and Means has doggedly and determinedly taken the attitude that he would not support and vote for a big tax increase unless there were some better control over spending than there is at the present time. Precisely what that control should be is something that the chairman of the Ways and Means Committee, of course, is not in a position to dictate for himself. He must consult with others who have responsibility in that area. In particular, he must consult with the chairman and the ranking minority member of the Committee on Appropriations in the House of Representatives. When those gentlemen get together and decide what they can agree upon, then the conference should be settled in fairly short order. So the prolonged delay of this conference report is not a matter of the conference playing a game of blindman's bluff; it is merely that the Senate cannot expect the House of Representatives to agree to a Senate position until the House is in a position to agree, among its own Members, on a position that it can sustain.

That matter, in my judgment, will probably be resolved sometime during the next 10 days, perhaps during the next week. And when the Members of the House of Representatives resolve it, in my judgment, the delay over the revenue measure will be ironed out in a great hurry.

As one Member of Congress, I personally feel that the rank and file of working people in this country will probably suffer if a tax measure is passed as a result of a Senate floor amendment, as was the case with the surtax. The reason I say that is that, in all probability, if Congress were to pass a revenue measure to raise large amounts of money, it would probably be amended either in the Finance Committee or on the floor of the Senate in ways that might be more objectionable to business, but certainly in ways that would lighten the burden of the tax increase on families of modest and middle-income brackets.

As one Senator, I personally hope that the members of the Ways and Means Committee decide to initiate a revenue measure themselves and send it to us. The Senate has acted, and I would support the view of the Senate even though I had a contrary view in the beginning.

I ask unanimous consent to have printed in the RECORD an article entitled "Settling of Johnson-Mills Fiscal Feud Makes Tax Rise Nearly Inevitable," written by Rowland Evans and Robert Novak, and published in the Washington Post of today, April 25, 1968.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SETTLING OF JOHNSON-MILLS FISCAL FEUD MAKES TAX RISE NEARLY INEVITABLE

(By Rowland Evans and Robert Novak)

The long, bitter, and wholly unnecessary fiscal feud between President Johnson and Rep. Wilbur D. Mills of Arkansas has been quietly resolved in recent days, making pass-

age of a tax increase within the next few weeks nearly inevitable.

Although several roadblocks remain, the biggest obstacle—the stubborn impasse between the President and the Chairman of the House Ways and Means Committee—is no more. It has become clear in private conferences the past week that Mr. Johnson now is willing to buy a fiscal package tailored to Mills' specifications.

That means an immediate \$10 billion increase in personal and corporate income taxes, raised by an upward revision of rates, as Mills desires, rather than the LBJ 10 per cent surtax formula. Far more important, the package includes deeper cuts both in current spending and in authorization for future spending than any President has previously accepted.

Ironically, Mr. Johnson could have accepted this same package last fall, guaranteeing quick approval of higher taxes by Mills' Ways and Means Committee—an event that might well have averted the dangerous gold crisis this winter. But last fall Mr. Johnson had dug his feet in deep against spending cuts and, foolishly, was scarcely speaking to Mills.

What moved the tax issue from less than a 50-50 bet a month ago to a highly probable event today was the force of multiple pressures: The inflationary rise of an overheated economy, the prospect of disaster for home building because of escalating interest rates, the increasingly shrill insistence of European central bankers that Washington put its fiscal house in order.

Such pressures have greatly diminished Congressional resistance to higher taxes and made Mills along with other tax-writers on Capitol Hill, considerably more eager for a solution. Most vital, however, has been the impact of these growing pressures on Mr. Johnson, inducing him at long last to accept that package available for months.

Curiously, however, the President came within an inch of destroying his chances for higher taxes in the tumult following Martin Luther King's assassination. On Friday night, April 5, a highly agitated President placed telephone calls to key Congressmen. With a touch of panic in his voice, he noted that scores of cities were in flames and said he intended to convene a joint session of Congress to ask for higher taxes accompanied by a massive spending program.

The replies unanimously informed Mr. Johnson that such a course would kill both the tax increase and the spending program. Sen. Mike Mansfield of Montana, Senate Majority Leader, was particularly influential in dissuading Mr. Johnson from delivering that speech. So was William McCsheney Martin, chairman of the Federal Reserve Board, himself panicky over economic conditions.

Having abandoned his joint session, Mr. Johnson then took a more conservative tack by privately agreeing, in effect, to both parts of the Mills fiscal package.

The tax part is no real problem. It probably will consist of restoring about half of the Kennedy-Johnson tax cut of 1964 by changing rates, a formula making it easy for Congressmen now on record against the President's 10 per cent surtax (a surcharge of 10 per cent on normal income tax payments). The revenue gained would be around \$10 billion in either case.

The expenditure part is much harder for Mr. Johnson to swallow. Although Mills is characteristically silent, it is believed the package will contain a reduction of around \$6 billion spending for the year starting July 1 and strip about \$20 billion from the Federal spending pipeline—new spending authority for years ahead. Cleaning out the pipeline, which Mills has always stressed as far more significant than reducing current spending, will require not only cutting back requests for new spending authority but also adopting actual decisions of past authorizations.

This means prior action by the House Appropriations Committee, some of whose members feel Mills is intruding in their jurisdiction.

Once the Appropriations Committee acts, Ways and Means can quickly write its tax bill and move it directly to the Senate-House conference now considering the 10 per cent surtax already passed by the Senate. It could be law by June 1.

But nobody is counting on that. Mr. Johnson's handling of the tax crisis has been mercurial and illogical, a singularly inept performance in his fabulous legislative career. Because nobody can be sure there won't be still another aberration, some fingers are still crossed on Capitol Hill.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, if there are no further statements to be made at this time, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE LAND AND WATER CONSERVATION FUND ACT

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The BILL CLERK. A bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes.

UNANIMOUS-CONSENT AGREEMENT

Mr. MOSS. Mr. President, I wish to propose a unanimous-consent agreement governing the pending amendment to the bill now before the Senate.

I ask unanimous consent that, on Monday next, debate on amendment No. 704, proposed by the senior Senator from Louisiana, be limited to 2 hours, 1 hour to be controlled by the senior Senator from Louisiana and 1 hour by the chairman of the Committee on Interior and Insular Affairs, the junior Senator from Washington.

The PRESIDING OFFICER. Is there objection?

Mr. LONG of Louisiana. Mr. President, reserving the right to object—and I shall not object—I believe the RECORD should indicate that at least three Senators who wish to support the amendment of the Senator from Louisiana [Mr. ELLENDER] are not present to speak about the amendment today, and have indicated their desire to be present when the matter is considered.

Also, there have been requests from other Senators who wish to support the bill and vote against the amendment that either we vote immediately or postpone the vote, so that they can keep speaking commitments and other engagements, and still be here to be on record.

The only way in which the junior Senator from Louisiana believes we can ac-

commodate Senators and give them the opportunity to express themselves before the vote is to arrange the matter in the fashion suggested by the Senator from Utah. So I will not object to the unanimous-consent request.

I regret that it is sometimes difficult to persuade Senators to remain in the Chamber as long as we wish, so that they may hear the speeches. The junior Senator from Louisiana told one of his colleagues yesterday that he thought we had gained approximately seven votes for the Ellender amendment yesterday, to which his colleague retorted:

How could you have done that? You never had more than two people on the floor all afternoon.

I replied:

Well, we suggested the absence of a quorum, and if someone came through we would grab him by the lapel and discuss it with him before he could get out of the Chamber. We buttonholed enough Senators in that way to get about seven votes.

I agree that, whether or not we are able to keep a quorum in the Chamber, eventually we have to vote on the matter; so I will go along with the request of the Senator from Utah.

Mr. BYRD of West Virginia. Reserving the right to object—and I shall not object—does the Senator from Utah intend that the time on the amendment, for which he has asked the unanimous-consent request, begin running at the conclusion of transaction of routine morning business?

Mr. MOSS. That is to be a part of my request, Mr. President.

Mr. MORSE. Mr. President, reserving the right to object—and I shall not object—I should like some information from the Senator from Utah, the Senator from Louisiana, the Senator from West Virginia, and possibly the Senator from Illinois.

If the unanimous-consent request is agreed to, and action on the Ellender amendment is postponed until Monday, as I understand the agreement, what will be done on this bill between now and Monday?

Mr. MOSS. It is my understanding that discussion on the bill or on the amendment may continue until Monday. The reason for suggesting the Monday time is that, in talking with the Senator from Louisiana and other Senators, it was decided that Monday was the time it could be brought to a vote, and that the Senators who desired to vote on it could be present.

Mr. MORSE. Will other amendments be taken up in the meantime?

Mr. BYRD of West Virginia. I do not know. But I was about to say that, so far as the Senator from West Virginia knows, there is no other business on the calendar which is pressing; and it was thought that, if it were agreeable with the majority leader—we are attempting to establish contact with him—and if it were agreeable with the minority leader—apparently, it is—and with other Senators, the Senate would adjourn, after completion of business today, until Monday.

Mr. MORSE. I believe that would be delightful. The reason I raise my point is that some amendments that are to

follow bear some relationship to the amendment of the Senator from Louisiana.

I have an amendment that is of vital importance to my State, and I am in the process of trying to negotiate an understanding with the committee. They have been very cooperative and helpful with me. I do not know whether we can reach an agreement. I wish to make a little statement about it for the *RECORD* today, and submit my amendment, which I may withdraw.

I would be glad to, if I can reach an understanding with the chairman of the committee. But do not forget that the Federal Government owns more than 50 percent of my State of Oregon, and I am not inclined to go along with giving to the Secretary of the Interior blanket authority to exchange Federal property in my State at his discretion without Congress passing judgment on each exchange, because the subject of exchange has been a matter of political scandal in my State.

I came to the Senate on the basis of a Department of Interior scandal in my State involving a land exchange. I shall discuss that situation at some length. However, I do not wish to ask for a vote on my amendment until we have disposed of the Ellender amendment. Before we adjourn today, I would like to offer my amendment and to make a brief statement so that Senators will know the problem in my State, as I see it.

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement proposed by the Senator from Utah, concerning the vote on the Ellender amendment on Monday, on the time limitation stated?

The Chair hears no objection, and it is so ordered.

The unanimous-consent agreement, subsequently reduced to writing, is as follows:

Ordered, that effective on Monday, April 29, 1968, at the conclusion of the routine morning business, further debate on the amendment by the Senator from Louisiana [Mr. ELLENDER] (No. 704) to S. 1401, a bill to amend Title I of the Land and Water Conservation Fund Act of 1965, and for other purposes, shall be limited to 2 hours to be equally divided and controlled by the Senator from Louisiana [Mr. ELLENDER] and the Senator from Washington [Mr. JACKSON].

Mr. LONG of Louisiana. Mr. President, I wish to state briefly and very succinctly the logic of the Ellender amendment, which I think is a very fine amendment and an amendment to which the Senate should agree.

With the Ellender amendment the bill before the Senate would be a very fine bill. It authorizes more than \$1 billion for recreational and park purposes. I think that is a fine idea.

There is no doubt that the senior Senator from Louisiana, who is a ranking member of the Committee on Appropriations—and I am sure one day will likely be the chairman of that committee—would be anxious to support whatever funds are necessary and desirable based on priorities for a recreational and park program.

However, without the Ellender amendment, the argument of those who favor S.

1401 is that Congress has been too niggardly in appropriating money for parks and recreation and, therefore, we should take a great national asset, the entire Outer Continental Shelf, and dedicate it to national parks and recreational purposes to the exclusion of all other purposes. The burden of that argument would be that if these rioters were to burn down Washington the money could not be spent for law enforcement before the needs of national parks are satisfied.

The burden of the argument is that when there is found a desirable program where Congress has been so shortsighted and has not provided enough money, some great national asset should be dedicated to assure that in the future Congress, if it were shortsighted, would have to leave the money there and not appropriate it at all.

The senior Senator from Louisiana [Mr. ELLENDER] makes the argument that if this is a desirable program, and we think it is, it should be subject to the appropriations of Congress, and that you should not dedicate all of the resources to it.

If the Outer Continental Shelf were to be dedicated to some purpose, his argument and mine would be that there are other matters which would take priority over recreation.

For example, when we debated the tidelands bill, some Senators suggested there should be a dedication of all oil resources and other resources of the Outer Continental Shelf to education. It could be said that they should be dedicated to national defense, science, research, development, and all sorts of things. However, as a practical matter, Congress has resisted earmarking funds except where it felt the public would be better justified supporting a program if the revenues to be extracted from the public were dedicated to that purpose.

For instance, I would refer to the Interstate Highway System, which could be attributed in large measure to the able senior Senator from Tennessee [Mr. GORE]. That program had two phases: one phase being an authorization for the Federal Government to expend 90 percent of the funds for the building of a magnificent highway system, which is still being built; and the other phase being the revenue measure. The tax was paid into the highway trust fund. A tax was placed on gasoline so that people could pay money and see the highway built and realize why they were paying the tax.

Mr. President, there is no connection between the Outer Continental Shelf and recreation. That being the case, to place recreation above all other functions of the National Government, and to put money for that purpose over priorities for everything else is not logical and does not make good sense.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. GORE. At best, earmarking is clumsy, inflexible, and an unwieldy procedure. Earmarking assigns arbitrarily a priority which may in many instances not be justified. It is even doubtful whether it is justified in the case of the

highway trust fund. However, this was an undertaking so vast that the Congress, in its wisdom, concluded that it should be on a pay-as-you-go basis and it was largely in response to this appeal that the public willingly accepted the additional highway user tax.

As I understand the pending proposal, no new revenue is proposed. It would be merely an earmarking of an existing asset or revenue for a purpose which, insofar as these funds are concerned, would have priority over all things else.

Mr. LONG of Louisiana. That is the objection that the senior Senator from Louisiana has made about this matter. All we are saying is: let the revenue go into the Treasury and let Congress, in its wisdom, assign whatever priority it wishes.

To take the attitude that Congress has been too niggardly and that, therefore, there must be a dedication of great natural resources, is to suggest that a program with a low priority should henceforth have the highest priority of all.

I have said, and my colleague has said, that we are happy to give the authorization that is being requested. If there is justification we would be glad to vote for the appropriation, and I would be happy to vote for an appropriation, but to earmark a great national resource for recreation does not make common sense.

Mr. GORE. It would give recreation a priority over national defense.

Mr. LONG of Louisiana. That it would do.

Mr. GORE. It would give recreation a priority over education.

Mr. LONG of Louisiana. That it would do.

Mr. GORE. Over hospitalization.

Mr. LONG of Louisiana. That it would do.

Mr. GORE. Over social security.

Mr. LONG of Louisiana. That it would do.

Mr. GORE. Over welfare.

Mr. LONG of Louisiana. That it would do. And over law enforcement; over everything.

If we were to pursue the same procedure, we could pursue it to earmark moneys to less essential programs. For instance, there could be a situation where, if rioters were to come here to burn down Washington, the law enforcement could not be paid for because the money had been earmarked for programs that carried a higher priority, although Congress, in the past, had not assigned such priority to them. In my judgment, the precedent would be horrible if, every time a committee said, "Look here"—suppose it is not the Committee on Interior and Insular Affairs whose pet project is recreation, but suppose it is the Committee on Agriculture and Forestry and that committee says, "Look here, the old cotton farmer is not doing well so let us earmark all the money from the income tax for the cotton farmer."

Then here comes the March on Washington and they want a poverty program. I do not quite understand what they have in mind, but I believe it has to do with the negative income theory, they want

\$3,000 a year whether they work or not. Of course, if they make some money, then that will be deducted from the \$3,000.

Suppose someone says, "My goodness, we have to get the march on Washington over before they burn the place down, so let us give them what they demand." That is what some will suggest, I suppose. Then someone will contend that we should dedicate all our income taxes to the poverty program or to the negative income proposal, so that we will be taxing the people who work hard for a living to take care of those who do not, and the first thing we know we will be dedicating all our revenue and will have nothing else in terms of priority so that we might as well abolish the appropriations committees. What the committees would be doing would be difficult to understand. Unless we voted more taxes, they would not have anything to dispose of at all.

So that once we start this thing of taking programs which, in the judgment of a particular committee, should have more money than Congress has seen fit to appropriate, and earmark great national resources, or sources of national income to those programs, eventually we would be in a situation where we would be unable to provide for the many important things we might need.

I was impressed with the fine statement placed in the RECORD by the Senator from West Virginia [Mr. RANDOLPH]. It is appropriate that he should have spoken for the Ellender amendment as he did, because the Senator has the responsibility to authorize new and desirable public works programs and he would be the first to say that if we are going to provide for additional public works, we cannot do it if we are going to take other matters which in some cases might be more applicable, and other cases might not, and assign a priority to them.

Many desirable public works programs increase the potential for people to earn a livelihood which, in justice and in fact, is even more important than would be the case with regard to recreation. In other words, as fine a purpose as recreation is, it should take place only after one has worked and struggled for his living.

Mr. HOLLINGS. Mr. President, the bill, S. 1401, pending before the Senate would dedicate \$700 million in revenues produced from the lands adjacent to the coastal States for the acquisition of park lands situated principally in the interior of the United States. In my opinion, this would be a disservice to my State of South Carolina. Fully one-third of South Carolina's border is coastal.

These coastal sections of South Carolina have had their share of problems. We have experienced major silting problems at Charleston, Murrell's Inlet, Little River, and other places. We have an erosion problem of major proportions at Hunting Island. Recently, coastal pollution has become a problem. I also know, as do our many commercial fishermen, that the oyster beds and the shrimp and other commercial fish are in need of further development. These problems are urgent ones that require immediate attention.

I think it would be far better that these revenues derived from the sea be devoted

to the problems of the sea. Additionally, I can see in the near future the development of mineral deposits offshore from South Carolina. The development of these minerals would mean additional revenue and income for my State. However, this development requires that money be spent on the study of the ocean floor off South Carolina and of the potential that our outer coast has.

Where is the money to come from if not from revenues gained from the Outer Continental Shelf?

Mr. President, we are all concerned about the acquisition of additional park lands. We are all concerned about water pollution; but we must be mindful that the source of much water pollution is the ocean, and that this problem requires attention, too. I am confident that our program of land and water conservation can move along at the proper pace without diverting funds derived from the resources of our Nation's shores. For these reasons, I shall support the amendment of the Senator from Louisiana [Mr. ELLENDER].

Mr. INOUE. Mr. President, as a Senator from the State of Hawaii, I tend to view this bill with mixed emotions. On the one hand, no State of our Union could possibly be more aware of the value and importance of recreation than the State of Hawaii. Our magnificent beaches, our majestic mountains, our culture and history, demonstrate the importance and value of recreational resources.

By the same token, however, Hawaii is a coastal State—indeed, a State of islands—and we know and recognize the need for additional development of our ocean resources, particularly in the fields of pollution abatement, fisheries research, oceanography, and similar fields.

Other Senators, particularly the junior Senator from Louisiana, have ably and effectively presented the facts in support of such programs.

I also recognize the validity of the argument advanced by the senior Senator from Louisiana, urging the Senate to retain control over Federal expenditures, by avoiding the dedication, in advance, of Federal revenues. Hawaii, situated as it is situated, and having experienced the ravages of the Second World War at first hand, understands well the need for flexibility in the allocation of our Federal resources.

I believe in the need for an expanded recreation program, and I support the proposition which calls for the acquisition of additional parklands, but, Mr. President, I cannot find it in my heart to tie the hands of the Senate in dealing with Federal expenditures by dedicating the amount the pending bill would dedicate, over the next 5 years.

I must candidly admit that my position is perhaps selfish, in some regards, but I believe as the junior Senator from Louisiana believes: if there is to be any dedication of Federal revenues, to the support of any program, there should be a clear and definite relationship between the resources dedicated, and the programs those resources would finance. I hope, Mr. President, that this conviction is not entirely motivated by the fact that Hawaii is a coastal State; I prefer to be-

lieve, instead, that the opinion I hold is the product of a sound concept of conservation—the concept that the resources yielded by the ocean should, if at all possible, be reinvested in the further development of the ocean.

Frankly, Mr. President, Hawaii could not tolerate an incident such as that which Puerto Rico endured, when the beaches of that lovely Commonwealth were covered with oil, vast numbers of her marine life were killed, and her entire tourist economy, for a brief period, stood in jeopardy. Thus, I believe as the junior Senator from Louisiana believes, that as between a dedication of ocean revenues to parkland acquisition, and the dedication of ocean revenues to such purposes as the control of pollution, the former must yield inevitably, and logically, to the latter.

Indeed, I find it difficult for any Senator to believe otherwise; all we need do is walk out upon the West Plaza of this Capitol, and view the Potomac River, and all of us should appreciate the need to make this Nation's rivers clean, to purge them of pollution, and, ultimately, prevent our oceans, into which all of our rivers drain, from becoming mere extensions of domestic cesspools.

For generations, Mr. President, the sea has nourished the people of Hawaii, and, indeed, all of Polynesia. We who live there believe the sea is capable of feeding the world. We know, for example, that responsible experts have estimated that the oceans of the world are capable of producing for man's use about 400 million tons of animal protein per year, and that at the present time, mankind draws something like 9 to 10 million tons of animal protein from the sea; in other words, the world today is deriving roughly one-fortieth of the potential food which is available in our oceans.

Thus, Mr. President, as a prudent man, I cannot support the committee bill, containing, as it does, a dedication of ocean resources to nonocean purposes.

I intend to support the Ellender amendment, because I am convinced it will not injure the national recreation program, and, at the same time, it removes the probability of great potential injury to our coastal States, and ultimately, to the people of all our United States.

I have become convinced, firmly and fully, that if there is to be any dedication of ocean resources, the dedication should be in favor of programs looking toward the development of our oceans. We have waited too long to properly fund these programs, and we cannot afford to wait much longer.

Mr. SCOTT. Mr. President, what we decide with respect to the Land and Water Conservation Fund Act amendments before us today will determine for many years our course in providing badly needed local, State, and national parks and recreation areas. The Senate has at hand a proposal which will, if approved, inject into the land and water conservation fund money accruing to the U.S. Treasury from a natural resource which we are depleting in order to conserve other equally valuable natural resources.

I support the use of a limited amount of revenue from oil and gas leasing on

the Outer Continental Shelf by the land and water conservation fund. In this way we will help erase the backlog of acquisition and development needs being faced by our cities and towns, our counties, our major metropolitan areas, and our States. We will also, by providing a minimum level of financing for the fund, begin to catch up with park and recreation acquisition projects authorized by the 89th and 90th Congresses. We are faced with a cost of at least \$350 million in this account. This cumulative price tag will continue to rise, because of the continuous escalation of recreation land prices, as pointed out in a Bureau of Outdoor Recreation report last year.

The land and water conservation fund has been particularly helpful in Pennsylvania. Under the fund, 50-50 matching grants are provided to the States and their political subdivisions for outdoor recreation planning, acquisition and development projects. In my Commonwealth, the fund has provided \$4,380,785 to partially finance 43 significant development projects alone. We have many other outstanding State and local projects which are awaiting financing so that we can continue our momentum in this field.

Mr. President, as a cosponsor, I support S. 1401 as reported by the Committee on Interior and Insular Affairs. It is a sound approach to a pressing domestic problem.

Also, Mr. President, as a member of the Pennsylvania State Planning Board, I am fully conscious of the value of the land and water conservation fund in helping my Commonwealth acquire land for the increasingly urgent needs of its citizens for parks and recreational land. In 1966, the board approved an interim statewide outdoor recreation plan, which is the prerequisite for money from the land and water conservation fund. The board is now engaged in a 3-year effort to prepare a comprehensive outdoor recreation plan to enable the Governor to coordinate the different Federal and State programs concerning recreation. This plan will be an integral part of the overall State development plan for Pennsylvania which the board expects to have ready in 1971.

Mr. President, I ask unanimous consent that a recent statement of the activities of the Pennsylvania State Planning Board, together with three attachments thereto, be printed in the RECORD. I also ask unanimous consent that a statement in support of S. 1401 by Pennsylvania's able and distinguished secretary of forests and waters, Dr. Maurice K. Goddard, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM STATEMENT BY IRVING HAND, EXECUTIVE DIRECTOR, AT THE BUDGET HEARING, HOUSE APPROPRIATIONS COMMITTEE, PENNSYLVANIA GENERAL ASSEMBLY, APRIL 1, 1968

My name is Irving Hand. I appear before you as Executive Director of the Pennsylvania State Planning Board.

PENNSYLVANIA STATE PLANNING BOARD MEMBERSHIP

The State Planning Board consists of 20 members. Fifteen members of the Board are appointed by the Governor for four-year

terms. Five members serve in an ex officio capacity by virtue of their respective official position: the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Community Affairs, the Secretary of Forests and Waters and the Secretary of Highways. A list of the members of the Board accompanies this statement.

When I joined the staff as Executive Director, in November 1964, it was with the urging of the Governor and the Board that state planning become a highly qualified professional resource for the Commonwealth, functioning as a staff arm of the Government, in an advisory capacity, offering knowledgeable judgment to those who make the decisions concerning the future of Pennsylvania.

This we have been attempting to do and the staff has been organized accordingly.

The State Planning Division, formerly identified as the Research Division, is concerned with population and economic research and the preparation of a comprehensive State Development Plan. Within that framework, its current responsibilities include economic analyses and population projections with particular reference to Appalachia Pennsylvania and planning for Statewide open space and outdoor recreation needs. Working closely with the Secretary of Commerce, through whom the Commonwealth is represented on the thirteen-State Appalachian Regional Commission, the Planning Board's staff serves in research, policy advice, project review and coordination, and plan-making capacities. The 1968 Appalachia Pennsylvania Plan for Development, which will deal with 52 of the 67 counties in the State, 80 percent of its geographic area, and over 50 percent of its people, will be a significant step in the preparation of a State Development Plan.

The Advance Planning Division emphasizes multi-county regional planning as important to the formulation and fulfillment of State policies, plans and programs. With the completion of the reconnaissance of each of the thirteen State Planning Regions in 1965 and 1966, there followed the establishment of regional planning agencies in several of these areas, the recognition of groupings of these Regions into Local Development Districts in meeting the Federal requirements for Appalachia and Economic Development Assistance program and project funding, and most recently the establishment of uniform districts for administrative purposes for the "human services" rendered by State government through the Departments of Health, Welfare, Justice, Community Affairs, Commerce, among others. The latter is a most significant accomplishment for the Commonwealth when one recalls the some 200 such regions for a variety of individual purposes which have accumulated over the years. The work of the Advance Planning Division now emphasizes liaison relationships with each of the regional planning agencies, participating in and advising about work program, particularly with reference to state planning responsibilities. The preparation of Development Plans for each of these regions is the next phase of this multi-county regional planning effort proceeding within the context of the State Planning Program.

The Current Planning Division tests the "here and now" usefulness of planning, whether it be in the State Planning Board as we progress in our Statewide overview of the Commonwealth or the functional plans of individual State agencies. The Capital Program work of this Division seeks to array the demands of the several State agencies for capital projects so that we may know the magnitude and substance of those requests, their basis and support, and the capabilities and resources required to do the job. The Capital Work Program work of this Division has gained an increased awareness of planning as a process in State government, has aided in improving the planning capability

within State agencies although a great deal yet remains to be done in this regard, has been useful in evaluating the funding and organizational capability of the Commonwealth in the construction of capital projects, and in further encouraging a system's application to planning, programming and budgeting.

PROGRAM

In brief, the State Planning Program emphasizes:

1. The functioning of the planning process in State government;
2. The preparation of a comprehensive State Development Plan;
3. The importance of regional planning within a State planning framework;
4. The increasing significance of program and project coordination and the establishment of priorities.

It reflects this emphasis as involving an overview of the Commonwealth by the State Planning Board, the functional planning activities of each State agency as it seeks to fulfill its responsibilities, and the organization and operation of regional planning throughout the State.

The State Planning Board presents this Program consistent with its role as a staff agency in the State government, advisory in nature, seeking to serve in an information, evaluation and briefing capacity with respect to:

1. Where is the Commonwealth going—Goals.
2. What efforts do we use to get there—Means.
3. How do we apply our resources in that regard—Priorities.

In this respect, the State Planning Program seeks to take into full account the Planning-Programming-Budgeting System now being projected for the Commonwealth and how State planning might best be used in gaining that objective. The Board and staff are ready to reexamine any aspect of this Program in the interest of the fullest possible support of the PPBS effort.

BUDGET REQUEST

There are no new programs in this Budget Request.

We are continuing with those activities which have been determined to be useful and about which I have commented in describing our staff.

We are seeking to gain a fuller measure of Federal augmentation and to begin leveling off as to State appropriations.

We want to consolidate the staff we have put together over the past three years as a well organized working team.

During the 1968-69 fiscal year, major attention will be given to:

1. The preparation of the 1969-75 Capital Program;
2. Continued work on the Statewide Outdoor Recreation Plan and the continued eligibility of the Commonwealth for funding of projects from several Federal sources;
3. Continued activities in the utilization of the Appalachia Program in Pennsylvania, emphasizing the preparation of the 1968 Plan for Development with the participation of each of the seven multi-county Local Development Districts and the respective State agency concerned with particular programs;
4. Carrying forward with comprehensive and coordinated water resources planning for the Commonwealth, an effort which was substantially accelerated with the completion of the State Supplement to the Water Resources Plan for Appalachia, presently in preparation by the U.S. Army Corps of Engineers;
5. Further encouragement and support to regional planning through the State Mapping Program, "purchase of service" agreements, assistance in the application of the Demonstration Cities and Metropolitan Development Act of 1966 and the review and comment responsibility being exercised by

regional agencies as a prerequisite for Federal funds for a large, and increasing, number of programs;

6. Participating in the several river basin studies under way;

7. Participating in the Planning-Programming-Budgeting System work with particular emphasis on Goals, Means and Priorities.

The 1968-69 State Planning Program and Budget Request seeks to enrich the population and economic information for planning purposes and decision making available to the Governor, the Members of the General Assembly and the State agencies; to strengthen planning, programming and development coordination as it relates to goals and objectives for the development of the Commonwealth, policies, plans and programs formulated in that connection, and the use of its physical, economic and human resources accordingly; progress in the preparation of a comprehensive State Development Plan, essential to dealing with significant development problems and opportunities and the consideration of courses of action; the application of regional planning in concert with State planning in working for the best which may be gained for the Commonwealth and its people; and in coordinating Federal-State policies and programs as these relate to State Planning and development, recognizing the expected role of regional and State planning as a requirement for Federal assistance.

Planning as an integral element in doing the business of government is what this State Planning Program is all about. In this day and time of hard priorities and limited dollar resources, its relevance is heightened, its content is urgent, and its results are imperative.

MEMBERSHIP, PENNSYLVANIA STATE PLANNING BOARD

CHAIRMAN

Jack K. Busby, President, Penna. Power & Light Company, 901 Hamilton Street, Allentown, Pennsylvania.

VICE CHAIRMAN

Theodore L. Hazlett, Jr., T. Mellon and Sons, 525 William Penn Place, Pittsburgh, Pennsylvania.

EX OFFICIO MEMBERS

Hon. Joseph W. Barr, Jr., Secretary of Community Affairs, 215 Old Museum Building, Harrisburg, Pennsylvania.

Hon. Robert G. Bartlett, Secretary of Highways, 12th Floor—Executive Office, Highway & Safety Building, Harrisburg, Pennsylvania.

Hon. Leland H. Bull, Secretary of Agriculture, 211 Agriculture Building, 2301 North Cameron Street, Harrisburg, Pennsylvania.

Hon. Maurice K. Goddard, Secretary of Forests & Waters, Room 512 Education Building, Harrisburg, Pennsylvania.

Hon. Clifford L. Jones, Secretary of Commerce, Room 416 South Office Building, Harrisburg, Pennsylvania.

Harry Boyer, President, Pennsylvania AFL-CIO, Front & Pine Streets, Harrisburg, Pennsylvania 17101.

Edwin R. Broden, One-Ninety-One Apartments, Bala Cynwyd, Pennsylvania 19004.

Hon. Joseph S. Clark, United States Senator, 361 Senate Office Building, Washington, D.C. 20025.

Wilfred D. Gillen, Fishers & Winsford Roads, Bryn Mawr, Pennsylvania 19010.

George J. Mead, Publisher, Erie Times-News, 20 East 12th Street, Erie, Pennsylvania 16501.

Hon. Hugh Scott, United States Senator, Senate Office Building, Washington, D.C. 20025.

Dr. J. C. Warner, Neville House, Apartment 64, 552 North Neville Street, Pittsburgh, Pennsylvania 15213.

Dr. Alfred H. Williams, Vice President, Fels Fund, Fidelity-Philadelphia Trust Bldg., 123 South Broad Street, Philadelphia, Pennsylvania 19109.

EXECUTIVE DIRECTOR

Irving Hand.

PENNSYLVANIA STATE PLANNING BOARD, PROPOSED WORK PROGRAM, 1968-69

The proposed Work Program for 1968-69 will see continued attention in the second of a proposed four-year effort to result in a Comprehensive State Development Plan.

That work is expected to proceed with a minimal addition to staff as authorized for the 1968-69 fiscal year; the employment of consulting services, as necessary; and the continued strengthening of regional planning as part of the State Planning Program through the arrangement of "purchases of service" between the State Planning Board and specific regional planning agencies.

During the remainder of this 1967-68 fiscal year and with the resources to be gained by the full staffing of the office, as authorized, attention will be directed to detailing the program and scheduling of work involved in the preparation of the State Development Plan, including plans for each of the State Planning Regions.

Subject to the said "detailing," the State Development Plan may be preliminarily outlined, as follows:

I. Goals and policies—concerning the major functions and responsibilities of State government to which State planning is relevant.

II. Substantive content with respect to:
Population and Economy;
Resources: Air, Water, Land;
Open Space and Recreation;
Transportation: Highway, Transit, Rail, Air, Water, Pipeline;
Education;
Health;
Welfare;
Patterns of Development: Urban, Rural;
Housing;
Employment and Manpower;
Fiscal Resources.

III. Implementation, with respect to: Executive Action (Governor), Legislative Action (General Assembly), Administrative Coordination (Departments), Areal Coordination (Regions), Capital Program, Planning-Programming-Budgeting Coordination (Office of Administration).

The preparation of the State Development Plan is expected to reflect an over-view of the Commonwealth as gained through studies and analyses by the State Planning Board, the coordinated consideration of the plans, policies, and programs of the several State agencies, and the inputs gained from the examination of each of the State Planning Regions. Documents in the nature of position papers will be considered, dealing with each of the major concerns of State government and pertinent to the substantive content of the Comprehensive State Plan. A sketch plan for each of the State Planning Regions, generally paralleling in content the State Development Plan, will be evaluated. Emphasis will be placed on the particular application of the State Plan to the Capital Program responsibilities of the State Planning Board and the planning, programming and budgeting system under consideration for the Commonwealth.

In addition to the high priority of attention and the allocation of resources to be devoted to the foregoing activities, the Work Program of the State Planning Board will continue to include:

Population and Economic Analyses and Projections, including preparations for 1970 U.S. Census.

Mapping: Completion of the Regional Base Mapping Program; formulation and implementation of a Comprehensive State Mapping Program.

Regional Planning: Activities in the State Planning Regions, including the Delaware Valley Regional Planning Commission, Southwestern Pennsylvania Regional Plan-

ning Commission, Northwest Pennsylvania Regional Planning and Development Commission, and Regional Planning in the Tocks Island Area; County "701" review in re coordination with regional and State Planning; County zoning review in re coordination with regional and State Planning.

Participation in "review and comment" requirements of Section 204 of Model Cities and Metropolitan Development Act of 1966.

River Basin Studies and planning coordination.

Soil Conservation Service "small watershed studies" and planning coordination.

Appalachia: research, policy and plan, including Manpower Study, Local Government Study, State Supplement to Water Resources Plan being prepared by U.S. Army Corps of Engineers, and 1968 Plan for Development; coordination of regional planning activities with the work of the Local Development Districts established under the Appalachia Program.

Liaison with Bureau of Outdoor Recreation in re Statewide Outdoor Recreation Plan, including revision of Statewide Outdoor Recreation Plan and extension of certification of eligibility for utilization of Land and Water Conservation Fund by the Commonwealth.

Project review and recommendations: Project 70 (and Project 500); Land and Water Conservation Fund; Greenspan; Appalachia.

Capital Program.

Information Center and Briefing Room.

Servicing Governor's Office on specific State planning matters.

Interdepartmental activities and coordination relative to State planning concerns.

Information resource for General Assembly relative to particular inquiries to which State planning is pertinent.

PENNSYLVANIA STATE PLANNING BOARD: BUDGET REQUEST 1968-69

Notes for Budget hearing January 23, 1968, 3:30 p.m.

I. Highlighted comment on State Planning Program:

A. Emphasis on: (1) State Development Plan, (2) Regional Planning, (3) Project and Program Coordination and Priorities.

B. Involving: (1) Comprehensive overview: State Planning Board, (2) Functional planning: State agencies, (3) Regional planning: State Planning Regions.

C. Consistent with State Planning Board role as: (1) Staff agency, (2) Advisory, (3) Information center and briefing facility, (4) Program coordination with respect to planning and development requirements.

II. State Planning Program is proceeding, taking into full account PPBS and its application to State Government; planning and program parts of State Planning Program most relevant; now preparing three year "701" planning assistance application to HUD, in estimated amount of \$200,000 for 1967-1968, \$250,000 for 1968-69, reflecting foregoing.

III. Urgent to enact proposed State and Regional Planning Law; up-to-date legislation increasingly important; many Federal programs now require comprehensive planning and more to be added; proposed law would fill the statutory requirement on the basis of which State and regional planning would meet the functional requirements.

IV. Important to proceed with 1969-75 Capital Program activity.

V. Detailed comment with respect to activities concerning State Development Plan.

A. Statewide Outdoor Recreation Plan.

1. Prepared Interim Plan:
(a) Being applied to (1) Project 70, (2) Land and Water Conservation Fund (Federal), (3) Project 500, Pennsylvania Land and Water Conservation and Reclamation Fund.

(b) Eligibility for Federal funds to be expended in Commonwealth approved by Bu-

reau of Outdoor Recreation through July 1968; submittal in May 1968 expected to gain approval through July 1970.

2. Three year program to prepare comprehensive, multi-functional outdoor recreation plan under way.

(a) Involves staff of State Planning Board and other State agencies and consultants.

(b) Demand analysis—contract with Hammer, Greene, Siler and Associates (\$12,000); involves population and economic analyses with particular application to demand for recreation areas and facilities; includes estimates for 1967 and forecasts to 1976, 1980, 1985 and 2000, by State Planning Region; information will be used by State agencies in recreation planning—Forests and Waters, Fish, Game, Historical and Museum, Community Affairs.

(c) Application to Bureau of Outdoor Recreation for \$245,000 to assist in preparation of State Plan (total cost of \$490,000) as set forth in three year program; assistance to each of State agencies involved.

3. Executive Director, State Planning Board serves as State Liaison Officer for application of Federal Land and Water Conservation Fund in Commonwealth; coordinates Federal and State programs concerning recreation.

B. Appalachia:

1. Secretary of Commerce serves as State Member on Appalachian Regional Commission, with administration of program by Bureau of State and Federal Economic Aid, Department of Commerce; State Planning Board fulfills staff responsibilities concerning policy, research, planning, project review.

2. Appalachian Pennsylvania Plan for Development.

(a) Preparation of 1968 Plan.

(b) Economic analyses—contract with Hammer, Greene, Siler and Associates (\$11,400); related to State, Appalachia Pennsylvania, State Planning Regions, urban centers, labor market areas; concerned with evaluation and judgments about economic activities and their projection and population and its projection; fundamental to preparation of 1968 Plan for Development.

(c) Local Development Districts: (1) Groupings of State Planning Regions and coordinated with State Administrative Regions for Human Services, (2) Staff working with LDD's as to establishment, organization and work program, including participation in preparation of 1968 Plan for Development.

(d) Funding assistance: (1) Estimate of \$50,000 for 1967-68; estimate of \$75,000 for 1968-69.

3. State Supplement, Water Resources Plan for Appalachian Region.

(a) Preparation of State Supplement; a major report and project recommendations which could mean millions of dollars of Federal funds in correcting water pollution, acid mine drainage conditions, flood control, etc.; review and revision within context of annual Plan for Development.

(b) Coordinative role in re State agencies (Forests and Waters, Health, Mines and Mineral Industries, Agriculture, Fish) and U.S. Army Corps of Engineers concerning water resources planning.

(c) Funding assistance: (1) Both Appalachia and "701" planning assistance funds expected to be used.

4. Study of Local Government in Appalachia.

(a) Proposal submitted to Appalachian Regional Commission.

(b) Overall review, with emphasis on three pilot areas and action programs; coordinated with Commerce and Community Affairs.

(c) Total project cost estimated at \$89,733; requesting \$67,300 Federal "701" planning assistance through Appalachian Regional Commission.

C. Transportation.

1. Increased coordination with State Highway Department in re: (a) Highway planning

and programming, (b) Coordination with Capital Program.

2. Participation in Inter-Departmental Committee concerning proposed Department of Transportation.

3. Participation in Governor's Transportation Committee: (a) Chairman, member of Committee, (b) Executive Director, member of Technical Committee.

(1) Chairman of Sub-Committee concerned with: (a) Keystone Corridor, (b) Master Plan of Transportation, (c) Demand analyses for transportation purposes.

VI. Detailed comments with respect to activities concerning Regional Planning.

A. Staff liaison activities in each of the State Planning Regions and Local Development Districts.

1. Executive Director serves as member of Delaware Valley Regional Planning Commission.

2. Staff representatives on technical committees of Delaware Valley Regional Planning Commission and Southwestern Pennsylvania Regional Planning Commission.

3. Staff representatives, ex officio members of Executive Committee of each Local Development District agency.

4. Program and undertake Regional Reconnaissance of each State Planning Region.

B. Purchase-of-service agreements.

1. Currently with Delaware Valley Regional Planning Commission (\$39,000) and Southwestern Pennsylvania Regional Planning Commission (\$16,000); part of matching funds for Federal "701" planning assistance in addition to coordinating regional and State planning work to maximize its use for both regional and State Planning purposes.

2. Continue purchase-of-service relationship with DVRPC and SPRPC; extend to other regional planning agencies in State Planning Regions and Local Development Districts, as appropriate.

C. Sketch Plans for each State Planning Region.

1. Preparation of base maps being completed.

2. Existing land use information being mapped, tabulated and analyzed.

3. Projected land use: (a) Coordinate with key State agencies, (b) Coordinate with regional agencies.

D. Geo-Coding Project.

1. Census and mapping project, in preparation for 1970 Census, providing for maximum information retrieval and use at local, State, Federal levels.

2. State Planning Region comprising Lehigh, Northampton and Berks Counties, as location of project on a prototype basis.

3. Cooperative effort by State and County planning agencies, utilizing "701" planning assistance in estimated amount of \$22,000; contract for consulting services of General Electric, Advanced Program Development Unit, Valley Forge Space Technology Center, Pennsylvania.

VII. Detailed comments with respect to activities concerning Projects and Program Coordination and Priorities.

A. Capital Program 1969-75.

1. Schedule prepared; proceeding.

B. Fiscal Resources Study.

1. Staff and consultants (contract with Fels Institute).

2. Work program includes: (a) Review of State revenues and expenditures, past ten years, (b) Future capital investment needs (projected ten to twenty years, as possible), (c) Relationship to Capital Program.

(1) Fiscal capabilities required by Capital Program: (d) Fiscal policy and Capital Program, (e) Projection of revenues and expenditures for State; consider methodology Measures of State and Local Fiscal Capacity and Tax Efforts formulated by Advisory Commission on Inter-Governmental Relations, (f) Comparison with ten other major States.

3. Coordinate with Office of Administration.

STATEMENT OF THE HONORABLE MAURICE K. GODDARD, SECRETARY OF FORESTS AND WATERS, COMMONWEALTH OF PENNSYLVANIA, BEFORE THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS OF THE U.S. SENATE, FEBRUARY 5, 1968

Mr. Chairman, and Members of the Committee, my name is Maurice K. Goddard. I am Secretary of Pennsylvania's Department of Forests and Waters, and among other functions, I am responsible to the Governor for the administration of the Pennsylvania State Park System. I welcome the opportunity to express my views on Senate 1401, purpose of which is to amend Title I of the Land and Water Conservation Act of 1965, thereby authorizing deposits to the Land and Water Conservation Fund from outer continental shelf oil receipts, for recreational uses.

The history of Pennsylvania's Outdoor Recreation Programs may be briefly outlined to emphasize the established Federal-State-Local partnerships, and to point to consequential aggressive action, in outdoor recreation.

In response to obvious public demand, our General Assembly has provided General Fund capital development moneys for State park purposes on an expanding basis since the early 1950's, even though the dollar competition among State agencies and other programs remains acute.

To augment the General Fund appropriations, the General Assembly also provided a special fund, the Oil and Gas Lease Fund, some twelve years ago, which set aside revenues (received from oil and gas lease rents and royalties on State Forest lands), for the acquisition and development of new State park lands. Some \$16.5 million dollars have been expended to date from that special fund.

Through our General State Authority (a bond sale program), financial capacity for the development of State park lands, was increased to a point where \$19 million dollars was authorized for the 1965-67 Biennium.

The increasing need for an intensive and extensive land acquisition program was recognized, and in 1964, enabling legislation was authorized, which provided \$70 million dollars for State and local governments to acquire land for recreation, conservation and historical purposes.

I am happy to inform you that on January 19, 1968, a significant enabling legislation was signed by Governor Raymond P. Shafer to provide funding capacity for the acquisition and development of State and local outdoor recreation areas, in the amount of 200 million dollars. The Act also provides 200 million dollars for reclaiming abandoned strip mine areas, the elimination of acid mine drainage, the problems arising from subsidence, underground mine fires and 100 million dollars for financial assistance to communities to assist in construction of sewage treatment facilities.

I believe that these major programs dynamically illustrate the Commonwealth's accelerated responses to the amplified awareness and needs of a growing population.

But, even in light of our aggressive programs, we look to similar responsiveness and continuity from the Federal Government. State and local governments cannot satisfy the demand and need alone.

The intent of the Land and Water Conservation Fund Act of 1965, and the achieved coordinated Federal-State-Local effort cannot be permitted to regress. Our State programs are tenaciously integrated with authorized and proposed Federal projects and help.

I respectively submit that the Congressional cut-back, ordered on December 18, 1967, has occasioned the reduction of grants for recreation land acquisition and development in the amount of \$4.9 million, according to a Department of the Interior news release dated January 24, 1968. Now, this is

not the kind of astronomical amount that we are generally conditioned to reading, but it is an important amount when the three "partners" are beginning to realize and see their plans surmount the tremendous task before us, the task of providing satisfactory, public outdoor recreational opportunities at all levels of political subdivisions.

I respectively refer to the Commonwealth's Oil and Gas Lease Fund, cited above, without which our State Park development program could not have received timely and effective acceleration. I liken that program and our two bond issues to the provisions of S. 1401, now before you. Passage of S. 1401 will generate immediate opportunity to acquire park and recreational lands before escalating prices makes it prohibitive to do so. The spiralling land costs are detrimentally affecting the entire program of acquisition and development, and the resolve to meet the needs of people is jeopardized.

I strongly recommend the enactment of S. 1401, with the considered amendments recommended by the Department of the Interior.

ORDER FOR ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Contact has been established with the majority leader and it is his feeling that the Senate should be in session tomorrow for the purpose of considering some bills on the calendar. However, I am not in a position at this moment to state what those bills will be, but it will be stated later on today, before the Senate adjourns.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SESSION OF THE SENATE TO- MORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all Senate committees may be authorized to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT ON FRIDAY UNTIL MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in adjournment until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

(This order was later modified to provide for the Senate to convene at 10 a.m. on Monday.)

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE LAND AND WA- TER CONSERVATION FUND ACT

The Senate resumed the consideration of the bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes.

Mr. MORSE. Mr. President, on occasions when we have discussed legislation to create an Oregon Dunes Seashore, the wild rivers bill, and the Redwoods Park, I have expressed my concern over exchange provisions.

Last year when the redwoods bill was before the Senate, I gained the impression during the debate that the chairman of the committee agreed that the exchange policy should receive careful review.

I am concerned to find that S. 1401 contains a blanket exchange provision which will permit the Secretary of the Interior to exchange any land under his jurisdiction for land in a park provided it is within the same State.

The language is so broad that it would, in effect, permit a Secretary of the Interior to trade off even part of one park in a State to create another.

Mr. President, I am not raising any objection to the bill in its present form in relation to any individual Secretary of the Interior. I am talking about vesting a power in the office of the Secretary of the Interior.

Vesting the power for a blanket exchange is a mistake. It waives the checking prerogative that Congress must maintain as the body of Government that makes the judgment, in the first instance, in regard to an exchange.

As the Presiding Officer knows, I have taken the same position in regard to blanket condemnation powers being vested in Federal officials. In the condemnation matter, the Federal officer involved should be required to show that criteria of public necessity exist in connection with an existing parcel of land he may seek to condemn.

That is why last year the senior Senator from Oregon raised this point in connection with the Oregon seashore, or so-called dunes, bill. I am all for a seashore park in the Oregon dunes area. There can be a very extensive one there, without taking a single square foot of private land. If some private land is to be necessary, the Secretary of the Interior should be required to show that the criterion of public necessity exists with respect to that piece of land. We should not give him, as that bill purported to give him, the blanket authority to go in and condemn. When he is given that authority, do not forget that his findings, to all intents and purposes, are

final. No court is going to set aside a condemnation decision of any Secretary of the Interior, or any other administrative officer of the Federal Government, unless it can be shown he acted capriciously and arbitrarily and that his discretion was obviously a very arbitrary discretion.

All I said in the dunes bill—and the principle is analogous in regard to the point I am raising this afternoon with regard to land exchanges—and all I am saying now is that if we are going to make the checks-and-balances system work, then we ought to be very careful, in passing legislation, to make certain that we retain a check upon the exercise of discretion on the part of a Secretary of the Interior or a Secretary of Labor or a Secretary of Health, Education, and Welfare, or a secretary of any of the other agencies that fall under the executive branch of the Government.

That is why I want to raise these points of view on my part here this afternoon, making perfectly clear, as I did earlier this afternoon, that I want to, and I am going to try to, work out an understanding, as we did last year. The Senator from Oregon raised some objections, and we were able to work out a very satisfactory compromise with the committee that I thought protected the rights of my State; and I hope to do it with respect to this bill.

The matter of land exchanges and the issues that arise over the disposal of public lands in my State are among the questions that have raised grave political concern in my State for the past many years.

I came to the Senate in 1945. In that campaign there was great concern over certain conservation policies. There was great concern over the whole matter of delegating congressional power to the executive branch of the Government, and calling it a ministerial or administrative function, when what was really involved was granting authority to make final decision, without any reservation that left the check in the Congress over those decisions.

Then in 1956, as I said earlier this afternoon, one of the great issues in the campaign for my reelection was the Al Sarena case, which involved a dispute over the exercise of discretion vested in the Department of the Interior. The voters of my State obviously manifested support of the position that I took, and that the Democratic Party took, in that issue in 1956.

Mr. President, I want to avoid those fights. We should work out a program of cooperation between the Congress and the executive branch of the Government; and, in this particular matter, between the Congress and the Department of the Interior.

That is all I am going to say about the background of the reason why I consider it to be my clear duty this afternoon to once again make a plea to the Senate that we try to resolve this problem on a workable compromise basis. I am satisfied, after talking to the very able members of the staff of the Committee on Interior and Insular Affairs, that can be done. I pledge to them this afternoon, as I did last year on the wild

rivers bill—and I refer to the same staff members—that I am going to try to do everything I can to work out language for this bill that will give us a satisfactory result.

I am going to offer an amendment shortly that would prohibit any exchange power in the Secretary of the Interior, which I would stand for if we could not get modifying language in the bill that will protect us along lines I hope can be worked out.

The language is so broad that it would, in effect, permit a Secretary of the Interior, as I said, to trade off even part of one park in a State to create another. In the case of Oregon, it would permit the exchange of the Oregon and California revested railroad or Coos Bay Wagon Road lands, already dedicated by law to multiple-use forest management to secure Crater Lake Park, Oregon Caves, or Fort Clatsop inholdings, as well as those in any park or seashore subsequently created.

The language also erodes the protection adopted in the wild rivers bill when it passed the Senate because it sets aside the restrictions written into that bill.

Those restrictions were written into that bill because of the objections raised by the senior Senator from Oregon at the time.

The language of the pending bill would have the effect of modifying the arrangement in connection with the wild rivers bill that I thought we had satisfactorily worked out last year.

So, as I say, I am unable to understand why the administration continues to press for, and the Interior Committee accepts, this exchange language so broad as to permit the vitiation of other authorized programs for parks, monuments, wildlife refuges, and public lands.

In the last few years the Department of the Interior's Bureau of Land Management has made good progress in the program of land planning and classification authorized in 1964. Despite the considerable controversy in 1965 that involved a possible exchange of public lands in Curry County to augment Point Reyes Seashore, the overall record has been one of progress. In fact, that controversy demonstrated that early and complete local discussion of possible land exchanges is most desirable.

That is why I urge procedures for such discussion in my remarks today.

As you know, my preference would be to allocate funds secured from the sale of public lands to the land and water conservation fund. Exchanges should be used as internal devices by an agency to improve its land patterns. An exchange which took public land in eastern Oregon to solidify a park in western Oregon could be fraught with problems.

My concern with the language in S. 1401 covers these aspects; and I have to express concern because, as I said earlier this afternoon, do not forget, over 50 percent of the land area of my State is owned by the Federal Government. Therefore, anything the Federal Government does with respect to land in my State owned by the Federal Government is bound to have an immediate economic impact on the State. That is why leaders in my State, county judges, county com-

missioners, State legislators, the Governor's office, and the congressional officers are always very careful to scrutinize any proposal that in any way involves any change of policy with respect to Federal programs relating to Federal land.

The bill sets no legislative policy standard to differentiate between land which might be exchangeable to improve the administering agency's operation and land which is disposable by exchange because it serves no Federal management program.

The language sets no guides for studies and investigation so that facts on exchange plans are locally presented. The language does not provide for public meetings nor does it provide a forum for those who may be using the lands to receive consideration. In my extensive travels in Oregon, I am impressed by the fact that virtually every acre of public land is not only being used, but the range and intensity of use is on the increase. Failure to meet these basic public knowledge tests makes this language fraught with potential difficulties.

As I have often said, we write legislation not against the standard of who now occupies the office but rather against the standard of providing basic protections in our grants of authority.

My concern, as it relates to Oregon, involves all of the lands there administered by the Secretary of the Interior for which there are specific authorized programs. These include the wildlife refuges, parks and monuments, O. & C., and Coos Bay lands, and the vast public domain holdings. I think that substantial exchanges to augment the purposes of the Land and Water Conservation Act and in lieu of direct purchase with dollars are highly unlikely in Oregon—unless it is done in a way that vitiates these other programs which have great merit on their own.

But at the base of my views is the well-grounded position that the public interest is best served by legislation that is clear in its direction and purpose.

I fully support buying parks with dollars; and that the prompt availability of funds helps keep costs down, but the exchange provisions of this bill, I think, are poor legislative policy.

This certainly is one proviso that could well be deferred to be given study by the Public Land Law Review Commission and then language drafted, if necessary, that relates it to each class of federally owned land and the Secretary of the Interior administrators.

For now, no clear and present need is in evidence that this proviso is essential to any existing parks completion.

Therefore, Mr. President, I send to the desk out of order an amendment to the bill (S. 1401) dealing with the subject matter, which I ask to have printed and available for calling up next week, and I also ask unanimous consent to have my amendment printed in the Record at this point.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table; and, without objection, the amendment will be printed in the Record.

Mr. MORSE's amendment is as follows:

AMENDMENT No. 707

On page 5, beginning with line 13, strike out all through line 10 on page 6.

On page 6, line 11, strike out "(c)" and insert "(b)".

Mr. MORSE. Mr. President, my colleague from Oregon [Mr. HATFIELD] is a member of the committee; I am sure the committee will find him available to do all he can to see to it that this particular bill is perfected, so as to give favorable consideration to any position his colleague takes that is meritorious. He knows that I have made perfectly clear that I am desirous of working out an understanding with the committee.

At this time, I wish to thank not only the chairman of the committee, the Senator from Washington [Mr. JACKSON], but also the members of the committee staff who have worked with me for some years on these problems. I see in the Chamber Mr. Stewart French and Mr. Jerry Verker, counsel for the committee. I could not have had better cooperation.

I want the Senate to know that this is a matter of such concern in my State that it is necessary for me to do everything I can to try to obtain a satisfactory modification of the language. I am perfectly willing to take that in lieu of my amendment, if such language can be worked out.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. BYRD of West Virginia. Mr. President, tomorrow the Senate will take up the following measures on the general orders calendar:

Calendar No. 934, H.R. 5789, an act to authorize the disposal of platinum from the stockpile and the supplemental stockpile.

Calendar No. 1024, H.R. 5785, an act to authorize the disposal of magnesium from the national stockpile.

Calendar No. 1025, H.R. 14367, an act to authorize the disposal of beryl ore from the national stockpile and the supplemental stockpile.

The Senate may also consider Calendar No. 719, a bill to authorize the extension of the additional Senate Office Building site.

While I do not expect any rollcalls tomorrow, of course they cannot be ruled out. Any Senator may request a rollcall if he so wishes. However, at this time I do not anticipate any yea-and-nay votes, although as I say, there could be some.

There may be other business tomorrow. But the Senate is on notice that these measures are expected to be called up for consideration.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JUDICIAL ACTIVISM NEGATES RULE OF LAW

Mr. BYRD of West Virginia. Mr. President, it is my firm conviction that many of the troubles which the Nation faces today have arisen because of the judicial activism of the U.S. Supreme Court.

An important article developing this point of view appeared in the Wall Street Journal April 22, entitled "Judicial Jumble: Activism Is Threat to Government of Laws and Not of Men."

It makes a point that all Americans should be made aware of; namely, that court decisions based on the personal predilections and concepts of judges and justices undermine the rule of law upon which our social structure is built.

Judicial activism, as this article defines it, means simply that court decisions turn upon the philosophies and socio-economic values of judges instead of upon firmly established principles of law, upon which all such decisions most assuredly should be based.

"Jurisprudence is becoming the handmaiden of sociology," the author, Edward F. Cummertford, a practicing attorney in New York City, observes. That, Mr. President, is a devastating indictment of our courts.

It leads to a situation in which the certainty—or what ought to be the certainty—of the law is eroded, a situation in which the lawyer finds it increasingly difficult to advise his client of what "the law" is; by the time a case reaches court, the interpretation may have changed.

The only conclusion that can be reached is that "judicial activism is not merely inconsistent with the rule of law, it is the total negation of the rule of law," the author asserts, and I must say that I fully agree.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

JUDICIAL JUMBLE: ACTIVISM IS THREAT TO GOVERNMENT OF LAWS AND NOT OF MEN

(By Edward F. Cummertford)

The formal boundary between responsible self-government on the one side and tyranny or anarchy on the other is often termed "the rule of law." Never has that tenuous line been in such danger of obliteration in this country. The rule of law is mocked and attacked, not only by the criminal multitude, but by supposedly responsible elements. Educators and clergy urge us to break laws we do not like, and eager mobs implement their ideas with destructive violence: labor unions violate laws that impinge upon their power and defy court orders, usually with impunity; public officials blandly refuse to enforce the law if their political futures might suffer.

But ironically, it is within the courts

themselves that the most serious threat to the rule of law has developed. This comes from a radically new concept of the judicial function called "activism." Judicial activism had its genesis in the Supreme Court about 25 years ago, when some of the Justices began to abandon the age-old principle of *stare decisis* upon which American and English law had been based for centuries. *Stare decisis* meant simply that the principles derived from previous decisions formed a body of controlling law for future decisions. The primary duty of the judge, after the facts of a case were determined, was to find the law applicable to such facts and decide accordingly, regardless of his personal feelings. On this system rested what Americans proudly called "a government of laws and not of men."

Judicial activism means that judges strive for what they deem a "just" result in a case in the light of their own philosophies and socio-economic values, with settled legal principles being accorded little or no weight. Thus decisions turn more and more upon "who" is the judge than upon "what" is the law. As a result, law is rapidly losing its certainty, stability and continuity. Jurisprudence is becoming the handmaiden of sociology.

This concept of the judicial function reaches its apogee in the doctrine, if that is what it may be called, that even the meaning of the Constitution itself may be changed by the Supreme Court if necessary to achieve "justice" or "equality." While the power of the Court to clarify parts of the Constitution in the first instance cannot be doubted, it is no corollary that the Court may, at its pleasure, keep changing such meaning. The Constitution specifically provides for its own amendment with procedures that completely exclude the Supreme Court.

Some contemporary pseudo-scholars of the law would have us believe that judicial activism is a proper function of courts, entirely consistent with the historical development of law. This is just not true.

WILL OF THE LAW

Let us consider what some of the leading legal minds of the past, men whom proponents of activism claim as philosophical antecedents, have thought about the question. John Marshall, our greatest Chief Justice, declared bluntly in a landmark case: "Judicial power is never exercised for the purpose of giving effect to the will of the judge; always for the purpose of giving effect to the will of the legislature; or in other words, to the will of the law." Charles Evans Hughes, usually ranked second only to Marshall among Chief Justices, is often cited as an authority for the notion that the Supreme Court can change the meaning of the Constitution. This is based on a fragment from an extemporaneous speech in 1907—"the Constitution is what the judges say it is." Mr. Hughes angrily denied having meant any such thing, but the out-of-context words plagued him for the rest of his life and to this day are quoted in textbooks and by professors to justify a concept he abhorred.

Oliver Wendell Holmes, a most influential legal scholar and for 30 years a Supreme Court Justice, maintained that judges should keep their own social and economic views out of decision-making. Benjamin N. Cardozo, Mr. Holmes' disciple and successor on the Court, set forth in painstaking detail the historical and philosophical criteria to be employed by judges in reaching decisions. A liberal like Justice Holmes, he did not believe that the law must be static and never change.

He would have been shocked, however, at decisions that lightly discard decades of settled law on the strength of sociological or economic theories. Justice Cardozo observed:

"Lawyers who are unwilling to study the law as it is may discover, as they think, that study is unnecessary; sentiment or benevolence or some vague notion of social welfare becomes the only equipment needed. I hardly need to say that this is not my point of view."

Sir Frederick Pollock, probably the chief authority in modern times on Anglo-American jurisprudence, repeatedly cautioned that judges should follow established precedents and legislative intent, not their personal views, in reaching decisions. Two other important jurist-scholars, Felix Frankfurter and Learned Hand, were extremely critical of judicial activism. Mr. Frankfurter, a protégé of Holmes, went on the Supreme Court a "liberal" in 1939 and retired a "conservative" in 1962—but it was the Court, not Mr. Frankfurter, which had undergone the greater change. Justice Harlan speaks of the idea that all social ills can be cured by courts as having "subtle capacity for serious mischief."

PURE GUESSWORK

The criticism is not confined to Olympian levels. The legal profession finds it increasingly difficult to know just what the "law" is; hence, attorneys cannot advise clients of the merits of their cases with much assurance. If the outcome of a case depends more on the personal philosophy of the judge than on any other consideration, it is pure guesswork. What was once "Constitutional" suddenly becomes "unconstitutional." Countless Supreme Court decisions are by 5-to-4 votes, often accompanied by several different opinions and bitter, sarcastic dissents. This is the precarious state of law today.

Some activist judges go to great lengths to make sure that they will not be thought of as having unbalanced minds. In speeches, articles and letters to editors they frequently take positions on controversial questions. High-ranking judges have even publicly expressed opinions on delicate questions involved in cases awaiting decisions in their own courts—judicial behavior that a generation ago would have been considered reprehensible.

No matter what euphemisms are employed to disguise its effects, careful reflection must lead to only one conclusion: Judicial activism is not merely inconsistent with the rule of law, it is the total negation of the rule of law. If cases are decided on the personal philosophies of judges, then in reality there is no law. If the Constitution has no objective meaning but means only what judges think it ought to mean, it is not a constitution at all but an empty symbol, a sort of national totem. History shows that vague laws, subjectively interpreted and arbitrarily applied, are the tools of tyrants. The equation is as old as the human race—power minus responsibility equals despotism.

Out of the vast crucible of human experience and travail we have constructed a splendid system of law and courts that it is our duty to sustain and improve. The beating heart of that system is the judge. If his mind is a closed one, which recognizes no authority save his own predilections, then all the long shelves filled with lawbooks, the great marble columns and the black robes are but superficial trappings cloaking a travesty.

Judges, like other mortals, need a large measure of humility—the conviction that one human mind can embrace but a tiny particle of all wisdom and knowledge. As one of our most respected living judges, Harold R. Medina, has expressed it so well: "I don't think I have any propensity or desire to mold the law to my own views . . . If I had a question of statutory interpretation and I was convinced the statute meant, and was intended to mean, one thing, I would never decide it meant just the opposite because I thought it was desirable social or economic policy to do so. This twisting and stretching is not for me."

Nor should it be for any judge.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT ORDERS MODIFIED—ORDER FOR RECOGNITION OF SENATOR BROOKE ON MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for convening Monday at noon be vacated, and I ask unanimous consent that the Senate convene at 10 a.m. on Monday; and that following the approval of the Journal on Monday, the Senator from Massachusetts [Mr. BROOKE] be recognized for a period not to exceed 2 hours, to be followed by a period for the transaction of routine morning business.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. It is my understanding that the previous unanimous-consent request submitted by the distinguished Senator from Utah [Mr. MOSS] will then take effect.

The PRESIDING OFFICER. The Senator's understanding is correct.

ADJOURNMENT TO 11 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 11 a.m., tomorrow.

The motion was agreed to; and (at 3 o'clock and 2 minutes p.m.) the Senate adjourned until tomorrow, Friday, April 26, 1968, at 11 a.m.

NOMINATIONS

Executive nominations confirmed by the Senate April 25, 1968:

DIPLOMATIC AND FOREIGN SERVICE

G. Mennen Williams, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Philippines.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Pardo Frederick DelliQuadri, of Hawaii, to be Chief of the Children's Bureau, Department of Health, Education, and Welfare.

U.S. CIRCUIT JUDGE

Myron H. Bright, of North Dakota, to be U.S. circuit judge for the Eighth Circuit vice Charles J. Vogel, retired February 20, 1968.

U.S. DISTRICT JUDGES

Halbert O. Woodward, of Texas, to be U.S. district judge for the northern district of Texas vice Joe B. Dooley, retired.

William Wayne Justice, of Texas, to be U.S. district judge for the eastern district of Texas vice Joe W. Sheehy, deceased.

U.S. ATTORNEYS

Eldon B. Mahon, of Texas, to be U.S. Attorney for the northern district of Texas for the term of 4 years vice Harold Barefoot Sanders, Jr., resigned.

Richard B. Hardee, of Texas, to be U.S. attorney for the eastern district of Texas for the term of 4 years vice William Wayne Justice, resigning.

U.S. DISTRICT JUDGES

Orrin G. Judd, of New York, to be U.S. district judge for the eastern district of New York, vice Walter Bruchhausen, retired.

Anthony J. Travia, of New York, to be U.S. district judge for the eastern district of New York vice Matthew T. Abruzzo, retired.

James B. McMillan, of North Carolina, to be U.S. district judge for the western district of North Carolina vice Wilson Warlick, retiring.

IN THE MARINE CORPS

In the Marine Corps Lt. Gen. Victor H. Krulak, U.S. Marine Corps, for appointment to the grade of lieutenant general on the retired list in accordance with the provisions of title 10, U.S. Code, section 5233 effective from the date of his retirement.

IN THE NAVY

The following-named officers of the U.S. Navy for temporary promotion to the grade of lieutenant in the line and staff corps, as indicated, subject to qualification therefor as provided by law:

LINE

*Aabye, David C.
*Abel, Bruce A.
*Achuff, Walter D., III
*Adams, Kenneth R., Jr.
*Adaschik, Anthony J.
*Addison, Michael R.
*Ahern, David G.
*Aiken, William P.
*Albers, Steven C.
*Alexander, Marion R., Jr.
*Alexander, Hugh M.
*Allich, John A., Jr.
*Allen, Harry B.
*Allen, Henry D.
*Allen, James E.
*Allen, Noel M.
*Alley, Walter L.
*Allison, Robert L.
*Anders, Robert L.
*Andersen, Robert V.
*Anderson, Cecil C.
*Anderson, Daniel S.
*Anderson, David C.
*Anderson, Dixon J.
*Anderson, Harold M.
*Anderson, Jerold F.
*Anderson, Russell F.
*Anderson, Thomas P.
*Andrews, John T., III
*Angell, John P.
*Anzini, Bert J.
*Appel, Harry L.
*Apple, Lester A.
*Applegate, Stephen S.
*Archibald, Alfred W.
*Armstrong, William L.
*Armstrong, Eldon L.
*Arndt, Brian A.
*Arnswald, Richard J.
*Army, Louis W., III
*Arrington, Loren D.
*Arrison, James M., III
*Arterburn, James D.
*Asher, Philip G., Jr.
*Atchison, Thomas L.
*Atkinson, Brian P.
*Atkinson, Sid E.
*Atwater, David C.
*Atwell, Felton G.
*Aubin, Charles D.
*Austin, Marshall H., Jr.
*Ayers, James B.
*Baack, Lawrence J.
*Babb, Phillip R.
*Bachinsky, Eric W.
*Badger, Rodney R.
*Bahr, Stephen M.
*Baier, Joseph E.
*Bailey, Jerry R.
*Bailey, Kenneth E.
*Bailey, Philip E.
*Bain, Paul S.
*Baird, Donald J.
*Baird, Walter L.
*Baker, Robert W.
*Baker, Stanley C.
*Baker, William H.
*Bakewell, Richard B.
*Bakkala, Eugene J.
*Baldwin, George K.
*Baldwin, Lewis S.
*Ball, James H.
*Ballard, Michael H.
*Ballback, Leonard J., Jr.
*Baillinger, Robert W.
*Banks, Harold R.
*Banks, Warren M.
*Bankson, Rodney A.
*Bard, Albert E.
*Bard, Nicholas T., Jr.
*Bare, George H.
*Barker, Kenneth D.
*Barksdale, William J.
*Barnett, Thomas J.
*Barnum, Charles E.
*Baron, Victor S.
*Barrett, James L.
*Barry, John L.
*Barsosky, John J.
*Bartlett, Robert C.
*Baugh, William F., Jr.
*Bauman, James R.
*Baumrucker, Alan E.
*Baumruk, Brian C.
*Baumstark, James S.
*Baxter, George G., III
*Baxter, Peter C.
*Beall, James M., Jr.
*Beam, Sherrill W.
*Bean, Richard L.
*Beardsley, John W.
*Beaudry, Frederick H.
*Beaver, Harold L.
*Bechell, Francis J., Jr.
*Becker, Richard D.
*Beckham, Jerry

*Beckwith, Bruce B.
*Beckwith, Ted, Jr.
*Becnel, Phillip A., III
*Bell, Lyndon R.
*Bell, Robert S.
*Bell, Walter A.
*Bell, William F.
*Bellafronto, Malcolm J., Jr.
*Bellucci, Gerald W.
*Belser, Richard B., III
*Belyan, Michael P.
*Benner, Francis J.
*Bennett, Bobby E.
*Bennett, Daniel C.
*Bennett, James G.
*Bennitt, Brent M.
*Benson, James N.
*Benson, Lawrence P.
*Benson, William T.
*Bentz, Wilbur L.
*Berdine, Robert A.
*Berg, Peter W.
*Berger, Henry G.
*Bergstrand, Robert E.
*Berkowitz, Michael C.
*Berman, Carl R., Jr.
*Bertolotti, Ernest J.
*Bevier, Robert L.
*Biddle, James E.
*Blenlien, Daniel E.
*Binder, Gregory D.
*Bingham, John E.
*Bintinger, David L.
*Bishop, Robert W.
*Biswanger, Charles T., III
*Black, Francis M., Jr.
*Black, George D., Jr.
*Blackwelder, James M.
*Blackwell, Bert E.
*Blades, Peter D.
*Blair, Jack R.
*Blake, David A.
*Blake, Ernest L., Jr.
*Blakely, Donald R.
*Bleyle, George A., Jr.
*Block, Martin J.
*Boatman, Wayne A.
*Bobo, Wilton C., Jr.
*Boeck, Lothar S., Jr.
*Boeddeker, Joseph C.
*Boggs, Donald L.
*Boghnenriksen, Knut M.
*Boitnott, Charles R., Jr.
*Bolger, Robert K.
*Bond, Robert L.
*Bondi, Robert C.
*Bonesteel, Craig G.
*Bonjorni, Edward E.
*Bookhult, John W.
*Borchers, Carl B.
*Borman, Walter C., III
*Bornman, Richard E.
*Borona, James S.
*Bosken, Ronald J.
*Bostic, Wayne H.
*Boston, Glenn J.
*Boswell, Dale E.
*Bosworth, Robin
*Bourdo, John D.
*Bourdon, Theodore J.
*Bowden, Peter K.
*Bowers, Richard C.
*Bowman, Gene M.
*Boyce, Robert W.
*Boyd, Gerald G.
*Boydell, Bruce J.
*Boydston, James L.
*Boyer, Bruce A.
*Boyer, Philip A., III
*Brace, Richard A.
*Bracker, William A.
*Brady, Bruce M.
*Brady, Robert J.
*Brady, Timothy S.
*Bragunier, William E.
*Brandon, Harry B., III
*Bransford, Robert A., Jr.
*Brashear, James E., Jr.
*Brazil, Hugh E.
*Breen, William J., III
*Bredert, William E.
*Breining, Alan F.
*Bricker, Havel D.
*Bricker, Jeffrey
*Bright, Charles N.
*Bright, Larry L.
*Briner, Richard M.
*Brittain, Ronald M.
*Brockley, John P.
*Brookbank, Earl B., III
*Brooks, Chapin C.
*Brooks, Leon P., Jr.
*Brooks, Morris E.
*Bross, Donald C.
*Brown, Carl R.
*Brown, Charles J., III
*Brown, Emory W., Jr.
*Brown, James A.
*Brown, Jeffrey L.
*Brown, John F.
*Brown, Lawrence O.
*Brown, Oval D.
*Brown, Richard S.
*Browning, John S., Jr.
*Browning, James W., II
*Bruce, James R.
*Bryan, Herbert F.
*Bryant, Leon C.
*Bryant, Robert W.
*Buchanan, John G.
*Bucholz, Roger C.
*Buckley, Russell H., Jr.
*Buckley, William F.
*Bugge, Marshall W.
*Burck, Clarence W.
*Burgess, Clifford T., Jr.
*Burgess, Larry L.
*Burke, James L.
*Burke, Richard L.
*Burke, Richard L.
*Burman, George A.
*Burns, Dale M.
*Burns, Jerome P., Jr.
*Burns, Richard J.
*Burns, Roy D.
*Burr, David S.
*Burroughs, Gerald C.
*Burton, Michael C. P.
*Bush, Harold S.
*Bushnell, Earle S.
*Butler, Eugene L.
*Butler, Frank A.
*Butler, Richard M.
*Butrovich, John, III
*Butterfield, John F.
*Butters, Alvin L., Jr.
*Button, Earle D., Jr.
*Buttram, Robert H.
*Byers, Clarence R.
*Byrne, Donn H.
*Cable, David W.
*Cable, Gordon G., Jr.
*Cahill, Joseph F., Jr.
*Caldwell, James D.
*Caldwell, Max D.
*Caler, John E.
*Calhoun, Marcus B., Jr.
*Callahan, Joseph W., Jr.
*Callahan, Lawrence A.
*Callahan, Leonard P.
*Callahan, Michael W.
*Calloway, Charles L.
*Cameron, John F.
*Cameron, Virgil K.
*Cameron, William E., Jr.

- *Cameron, William T., Clapper, Richard F.
 *Camp, Norman T.
 *Campbell, Jim
 *Campbell, John A.
 *Campbell, James J.
 *Campbell, James R.
 *Campbell, Malcolm L.
 *Caputo, Michael P.
 *Carey, David J.
 *Carey, James R.
 *Carey, Richard S.
 *Carle, Gary L.
 *Carlmark, Jon W.
 *Carlsen, "W" Eugene
 *Carlson, Eric
 *Carlson, James L.
 *Carlson, Robert W.
 *Carlyon, Walter E., III
 *Carolan, James C.
 *Carpenter, George K.
 *Carroll, Charles E.
 *Carroll, Hugh E., II
 *Carroll, John M.
 *Carroll, Thomas K., Jr.
 *Carson, William H., II
 *Carter, Edwin S., Jr.
 *Carter, George H., III
 *Carter, James M.
 *Carter, Lynn D.
 *Carter, Ronnie G.
 *Carty, John R.
 *Carver, Marion E.
 *Case, William F.
 *Cashman, Alan M.
 *Cashman, David M.
 *Caskey, Maurice R.
 *Cassady, Robert T., Jr.
 *Cassidy, Brian B.
 *Caudell, Willard G.
 *Cavaney, Byron, M., Jr.
 *Cebrowski, Arthur K.
 *Cecil, Richard A.
 *Cegler, Edmund C. C.
 *Cepek, Robert J.
 *Chadwick, John E., Jr.
 *Chalfant, Donald K.
 *Chalkley, Henry G.
 *Chamberlain, Terry M.
 *Chambliss, Alfred P., III
 *Chancellor, Robert O.
 *Chandler, James F.
 *Chaney, William L., Jr.
 *Chappell, Joseph J., Jr.
 *Chappell, Ralph E.
 *Charlton, Anthony W.
 *Charron, Paul R.
 *Chastain, Max I.
 *Checkett, James J.
 *Chenault, David W., II
 *Chotvacs, Charles J.
 *Christal, Clark D.
 *Christensen, Daniel W.
 *Christensen, Ernest E., Jr.
 *Christian, Michael D.
 *Christian, George F.
 *Christianson, Richard A.
 *Christie, William P.
 *Christie, Warren B., Jr.
 *Ciliberti, Richard V.
 *Cinco, Raymond, Jr.
 *Ciotti, Paul A.
 *Claassen, Aaron J.
 *Claassen, Steven H.
 *Cladek, Edward A.
 *Clark, Henry H.
 *Clark, Hiram W., Jr.
 *Clark, James W.
 *Clark, Terrell I.
 *Clark, William H.
 *Claxton, Keith E.
 *Clayborn, William L.
 *Clemens, Kenneth E.
 *Clements, William G.
 *Clemmons, Victor E.
 *Cline, Michael L.
 *Clock, Carl S., Jr.
 *Clough, Geoffrey A.
 *Clow, Gordon H.
 *Cloward, Richard S.
 *Cobb, Robert M.
 *Coburn, Clarence D., Jr.
 *Cody, Edward J.
 *Coffey, Edward C.
 *Collier, Arthur H.
 *Collins, Michael R.
 *Collins, Walter S.
 *Collins, William G., Jr.
 *Collins, William V., Jr.
 *Combe, Andrew J.
 *Combs, Michael C.
 *Common, John
 *Conant, Edward H.
 *Conlin, Michael
 *Connell, Daniel E.
 *Connolly, Dennis J.
 *Connor, James V.
 *Content, Dale M.
 *Cook, Clifford V.
 *Cook, Douglas W.
 *Cook, Oren F.
 *Cooper, John B., Jr.
 *Cooper, Roger M.
 *Copeland, Fred R., Jr.
 *Coppola, Ernest J.
 *Cordrey, Robert E.
 *Corgnati, Leino B., Jr.
 *Cornell, Clifford L.
 *Cornett, Arthur
 *Corwin, Thomas M.
 *Costello, John P., II
 *Costello, William B.
 *Coughlin, Michael D.
 *Coulon, Maurice W.
 *Coulson, Allan R.
 *Courtney, Marlin A.
 *Coward, Asbury, IV
 *Cox, John T.
 *Coyne, Martin C.
 *Craig, Norman L.
 *Crane, Stephen H.
 *Cranston, Gregory V.
 *Crawford, Frederick R.
 *Creekmore, Edwin W., Jr.
 *Crews, Thomas W., III
 *Croll, William H.
 *Cross, Robert C., Jr.
 *Crosson, Bobby D.
 *Crowley, Lionel L.
 *Croy, Paul A.
 *Culbertson, Charles F., Jr.
 *Cullen, Francis S., Jr.
 *Cumble, James B.
 *Cummings, Ronald L.
 *Curley, Richard C.
 *Curry, David W.
 *Curtis, Robert E.
 *Cushing, John S.
 *Cusmano, Jerome H.
 *Custodi, George L.
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 *Czapinski, Richard M.
 *Dalton, David H.
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 *Daly, Daniel A.
 *Dambargo, John A.
 *Dambrosio, Robert J.
 *Dameron, Jack E.
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 *Daniel, Johnny H.
 *Dansker, Alfred S.
 *Dantone, Joseph J., Jr.
 *Dargis, Kenneth R.
 *Darnell, Carlton H.
 *Dassler, Frederick W., Jr.
 *Dau, Frederick W., III
 *Dunlap, David B.
 *Davenport, Robert C.
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 *David, Phillip H.
 *Davidson, Teddy G.
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 *Davies, William E., Jr.
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 *Day, James R., Jr.
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 *Deemie, William H.
 *Deer, Robert
 *Degange, James J.
 *DeGreef, Donald J.
 *DeHart, David A.
 *Detrick, Jack L.
 *Dekshenieks, Vidvuds
 *Dell, Julius B., Jr.
 *Delorenzo, Robert A.
 *Demarco, Joseph G., Jr.
 *Demchik, Robert P.
 *Dempewolf, Philip W.
 *Dempsey, John E.
 *Dendy, Robert T.
 *Denslow, William R., Jr.
 *Densmore, Dean W.
 *Dentremont, Albert G.
 *Depew, John F.
 *Deroco, Alan P.
 *Desrochers, Joseph O.
 *Dettman, Bruce M.
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 *Dirren, Frank M., Jr.
 *Disharoon, Donald L.
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 *Dole, Howard W.
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 *Donndelinger, Paul W.
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 *Dreyer, Carl H.
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 *Eckstein, Eric R.
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 *Edgar, George L.
 *Edge, Julian D.
 *Edmison, William J.
 *Edmondson, Leslie S.
 *Edwards, Harry S., Jr.
 *Edwards, Henry B., Jr.
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 *Faddis, Walter H.
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 *Farmer, Claude S., Jr.
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 *Fegan, Robert J., Jr.
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 *Fenton, Paul H.
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 *Fiske, Eugene G.
 *Fitts, Joel R.
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 *Fitzgerald, John R. Jr.
 *Fladd, Wirt R.
 *Flanagan, Donald S.
 *Flentle, David L.
 *Flesher, Larry G.
 *Fletcher, Paul R.
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 *Floth, Rowin K.
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 *Foley, Michael J.
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 *Forrester, George S.
 *Forsberg, Gary L.
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 *Fox, Arthur D.
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 *Franks, William J., Jr.
 *Frazier, John H., III
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 *Fredlund, Robert R., Jr.
 *French, Charles A.
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 *Frenzel, Joseph W., Jr.
 *Frey, Raymond
 *Frick, Dennis D.
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 *Fried, Arthur A.
 *Friedman, Marcus V.
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 *Fromme, William R.
 *Frost, James M.
 *Fry, John L.
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 *Fuller, James R.
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 *Gallier, Gaylord W.
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 *Gangloff, Wilmer C., Jr.
 *Gantzert, Gregory P.
 *Garber, John W., Jr.
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 *Garza, Jose E.
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 *Gaston, Mack C.
 *Gates, Charles R.
 *Gault, Robert L.
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 *Gawne, John C.
 *Gay, Marvin J.
 *Gaylord, William K.
 *Geddie, John M., Jr.
 *Gemmell, John W.
 *Genson, Gary L.
 *Georgenson, Ronald G.
 *Geraghty, John M.
 *Gerard, "W" Joseph
 *Gibson, Richard A.
 *Gides, George J.
 *Gier, Edwin F.
 *Gierman, Michael J.
 *Gilbert, Proctor J.
 *Gilbert, Richard B.
 *Gildea, James J.
 *Giller, Gary D.
 *Gilles, Ronald J.
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 *Gilmartin, John T.
 *Gilson, Frederick T., Jr.
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 *Gipp, Earl W.
 *Gist, David M.
 *Given, Robert O.
 *Glass, Robert L.
 *Glennon, Robert C.
 *Gless, Edwin H.
 *Glevy, Daniel F.
 *Gnilka, Charles W.
 *Goddard, Glen L.
 *Godo, Antonio A.
 *Gogot, Jerome L.
 *Gomes, Benjamin J.
 *Gomez, John F., Jr.
 *Good, Gerald L.
 *Good, James R.
 *Goodson, Joe B., Jr.
 *Goolsby, Barry E.
 *Gordon, Barry A.
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 *Gosselin, Richard L.
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 *Grable, Joe F., Jr.
 *Grace, Robert F.
 *Graef, Peter J.
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 *Grantham, Nick H.
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 *Greeson, Bernard D.
 *Gregg, William A., Jr.
 *Grier, George W., III
 *Grieve, James E.
 *Griffin, Dominic B., III
 *Griffiths, Mark H.
 *Griggs, Carlton A.
 *Gross, Charles N.
 *Guess, Harry A.
 *Gullickson, Lamolne K.
 *Gustavson, Michael A.
 *Guthrie, Charlie M.

- *Gutierrez, James E.
- *Haacke, Karl M.
- *Haala, Patrick W. J.
- *Habermeyer, Howard W., Jr.
- *Hackett, Donald E., Jr.
- *Hadley, Allan W.
- Hahn, Gary T.
- *Haines, William R.
- Haire, Charles R.
- Hakes, Vander D.
- *Halbert, Richard W.
- Hall, Gaylon S.
- Hall, Gerald L.
- Hall, John P., Jr.
- Hall, John T.
- *Hallahan, Edward T., Jr.
- *Halpin, Francis J.
- *Hamilton, Gerald K.
- *Hammond, Thomas J.
- *Hampton, Mark I.
- *Hannsz, Donald A.
- *Hannum, Edmund P., Jr.
- *Hansen, David G.
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- *Harder, Ronald E.
- *Hardy, Richard W.
- Hargis, Richard A.
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- *Harmon, Judd S.
- *Harrell, George E.
- Harrelson, James T.
- *Harris, Arthur C., III
- Harris, Hubert V.
- *Harris, Richard C.
- *Harris, Stewart M.
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- *Harris, William R.
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- *Harrison, Gilbert A.
- *Harrison, George C., Jr.
- *Harrison, Russell W., Jr.
- *Harter, Thomas R.
- *Hartkopf, Kenneth W.
- *Hartman, Burr C.
- *Hartman, William M.
- Harvey, James F.
- *Hassler, Bobby V.
- *Hastings, Steven C.
- *Hauschildt, Walter F.
- *Hausmann, Gerald L.
- *Havican, Richard D.
- *Hawk, Roger M.
- *Hawk, Thomas F.
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- Hawley, Thomas P., Jr.
- *Haynes, Bobby J.
- *Hays, James M.
- *Hayward, James K.
- *Hearn, Ellison J.
- *Heath, Charles M., Jr.
- *Heeb, Benny J.
- Heep, William A.
- Hefty, William A.
- Heid, Billy L.
- *Helne, Joel K.
- *Heist, David W.
- Heitzman, Dwayne J.
- Hekel, Ullis D.
- Helm, Samuel W.
- *Helyer, Gordon D.
- *Henderson, Robert V., Jr.
- Henderson, Ronald B.
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- *Hendricks, James R.
- Hendricks, Judson J.
- *Henning, Owen S.
- *Henry, Russell K.
- Hepner, Bruce W.
- *Hereford, Robert E., Jr.
- *Herriott, Robert P.
- Herrmann, Robert H.
- *Hess, Gerald R.
- Hess, Walter W.
- *Hewitt, George M.
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- *Hewlett, Michael F.
- *Heyer, Robert W.
- *Heyse, Frederick H.
- *Hickey, Robert P., Jr.
- *Hiestand, Frank H.
- *Higgins, Charles T.
- *Hildebrandt, John L., III
- *Hill, David M.
- *Hill, Russell E.
- Hilsabeck, Clayton N.
- *Himbarger, Robert L.
- *Himmelspach, James E.
- *Hinkleby, Robert M.
- Hinds, Glenn W.
- Hinds, Howard H., Jr.
- *Hise, George E., II
- Hiss, Roger A.
- Hlavinka, Ronald R.
- *Hodge, Glenn M.
- *Hoeman, Richard D.
- *Hoferkamp, Richard A., Sr.
- *Hoffman, Charles H.
- *Hoffman, Dennis R.
- *Hogan, Jerry F.
- *Hogarth, Thomas E.
- Hoglund, Delbert P.
- *Hollan, James E.
- *Hollett, Grant T., Jr.
- *Hollinger, Merlin B.
- *Hollis, Robert E.
- Hollister, Stephen J.
- Holloway, Lauris M.
- *Holman, Michael S.
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- *Holsenbeck, Daniel C.
- Holton, John T.
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- Holzappel, Alan K.
- *Hooper, Barry W.
- *Hoover, Charles B., Jr.
- Hopkins, Ralph W., Jr.
- Hopkins, Robert D.
- *Horan, James J.
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- *Horowitz, Albin
- *Horton, Douglas J.
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- Hoskins, Samuel B.
- Hotalen, Robert J.
- *Houghton, Jonathan P.
- *Houlder, Robert L.
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- *Howitz, Phillip D.
- *Howard, James H., Jr.
- *Howard, Mark W.
- *Howey, William D., Jr.
- *Howland, John G. B.
- *Howle, Kenneth M.
- *Howser, James H.
- *Howze, Odis W., Jr.
- *Hubbard, James O.
- Hubble, Hilbert R.
- Huckabone, Theodore W.
- Hudson, Charles E.
- Huffines, Charles W.
- *Hufford, Philip T.
- *Hughes, Edward M.
- *Hughes, Robert O.
- *Hulick, Timothy P.
- *Hultin, Jerry M.
- Humphrey, Bradford, Jr.
- *Humphreys, Wayne I.
- Hunnell, Sherman M.
- Hunt, Edmund J., Jr.
- *Hunter, Gordon W.
- Hurd, William J.
- *Hutmacher, Matthew A., Jr.
- *Hutson, David D.
- Hyde Joseph G.
- *Hydrick, Harry W.
- *Hyland, William W., Jr.
- Hyneman, Roger T.
- *Hynes, Robert F.
- *Iaconis, John F., Jr.
- Igoe, Peter M.
- Ince, Joe
- *Ingwersen, John L.
- Irvine, Pickens W.
- Irwin, Fred B., Jr.
- Irwin, Larry A.
- *Isaacs, Phillip W.
- Isaksen, Roy E.
- *Isenberg, Michael T.
- Ivle, Gayland C.
- Jackman, Richard M.
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- *Jacobs, Philip R.
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- Jamerson, Clifford L.
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- Johnson, Carmen, J.
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- *Joyce, Robert H.
- *Juengling, Robert G.
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- *Kaeser, Karl H.
- *Kafasis, Nicholas P.
- *Kalal, Lindsey E.
- *Kalyon, Richard A.
- *Kampf, Michael, III
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- *Kopel, Jerome M.
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- *Lacher, Richard G.
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- *Lark, Robert H.
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- *Latta, William A., Jr.
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- *Lautrup, Robert W.
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- *Leonard, George E., Jr.
- *Lepage, Armond C.
- Lerich, Barry H.
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- *Letart, Laurin H.
- *Lewczyk, Stanley C.
- *Lewis, Eben W., Jr.
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- *Lewis, Robert W.
- *Lherault, David J.
- *Lieblich, Donald H.
- *Liemandt, Michael J.
- *Lifsey, William H., Jr.
- Lindley, James R.
- *Lindsay, George H.
- *Lindsay, Ronald L.
- Linton, Sidney E.
- *Lipscomb, David, II
- Listol, Lavern D.
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- *Little, Wade S.
- Lloyd, William E.
- *Loarie, John A.
- *Loarie, Robert J.
- *Locke, Peter V.
- *Long, Gerald E.
- *Long, Michael D.
- *Longeway, Kenneth L., Jr.
- *Longshaw, Jeffrey S.
- Longstreth, William A.
- Looney, Robert L.
- Lopez, Ambler B. M.
- Lopez, Thomas J.
- *Losure, Edward R., Jr.
- *Loucks, Steven J.
- *Lounsbury, Charles H., III
- Loveless, Sheldon L.
- *Lovig, Lawrence, III
- *Lowell, Bobbie R.
- *Lucas, Dale W.
- *Lucas, David N.
- *Lucas, George M.
- *Ludden, Richard W.
- *Ludlow, Ronald G.
- Ludwig, Carl L.
- Ludwig, Harvey E.
- Lull, Thomas E.
- *Lunde, Roger K.
- *Lutton, Donald L.
- Lutz, Robert E., Jr.
- *Luxford, Bruce
- *Lyford, George, Jr.
- *Lyman, Melville H., III
- *Lynch, Richard H.
- *Lynch, Thomas C.
- *Lynch, William B.
- *Lyndon, Dennis C., Jr.
- *Lynde, Oscar E., Jr.
- *Lyon, Paul R.
- Lyons, Leonard S.
- *Mable, Robert B.
- *Macaulay, William G.
- *MacBain, Thomas H., Jr.
- *MacDonald, Herbert M., III
- *MacDonald, Hugh H., II
- *MacFadyen, Bruce A.
- *MacIntyre, Daniel I., IV
- *MacIntyre, Norman L.
- *Mackaman, Bert J.
- *Mackin, Jere G.
- *Maddox, James L.
- *Madigan, Paul J.
- Madsen, George G.
- *Magazine, Leonard A.
- *Maginn, James J.
- Magnus, Royal S.
- *Magnuson, Bruce B.
- *Maguire, Bernard A., Jr.
- Maguire, Edward S.
- *Mahan, Richard J.
- *Mahoney, Clarence B., Jr.
- *Main, Ronald L.
- *Majer, Richard G.
- *Makowka, Andrew A.
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- *Malin, William T.
- *Mall, Phillip J.
- *Mallas, Paul A.
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- Maloney, Eugene D.
- *Manke, Joseph W.
- *Mann, Alcide S., Jr.
- *Mann, Charles E.
- *Mansell, William R.
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- *Marino, Stanley, Jr.
- *Markoff, Nicholas S.
- Maroney, Derrell
- *Marsh, Charles L., Jr.
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- *Martin, David A.
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- *Martin, Theodore J.
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- Matyas, Joseph J.
- *Mauney, Louie A.
- *Maurer, Walter L.
- *Mayer, Joseph P., III
- *Mayfield, George A.

- *Maynard, John R.
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 McCreary, James D.
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 McDonald, John L.
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 McGhee, William S.
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 McKean, Robert W.
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 *McKillip, Donald S.
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 McKnight, Jimmie D.
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 McLaughlin, John W.
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 McCleary, Read B.
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 Meek, Phillip D.
 Meierdierks, John P.
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- Miller, Dennie L.
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 Murphy, Francis J., Jr.
 Murphy, Jeremiah J.
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 Neal, Joseph F. H.
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 Newton, William J.
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 Nielsen, Leonard M.
 Nilsson, Kenneth M.
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 Oakes, Floyd M.
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 O'Brien, John L.
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 Oehlenschlager, John G.
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 Ohlander, Ronald B.
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 Older, Clinton D.
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 O'Rourke, John B., Jr.
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 Ostertag, James J.
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 Ovenson, Claude L.
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 Owens, Compton C., Jr.
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 Oxenroder, Eugene L.
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 *Page, Charles W., Jr.
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 Patin, Carl A.
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 Patten, Freddie J.
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 Paulson, Glen T.
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 Payton, James E.
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 Pemberton, Colin C.
 Pennington, Arthur J.
 Perez, Richard
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 *Peterson, Winston H.
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 Pfister, Raymond
 *Phaler, Karl J.
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 Pilcher, Imon L.
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 Polinsky, John W.
 Polk, Raymond F., Jr.
 Pollock, Clifford E.
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 Poole, William J.
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 Powers, Ralph V.
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 *Prath, Robert L. E.
 *Press, Jay L.
 *Press, Nicholas L.
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 *Price, Thomas L.
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 Prior, Charles A.
 Pritchard, Richard D.
 Pritchett, Roland H.
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 *Prouty, William H.
 *Pruher, Joseph W.
 *Pugh, Thomas O.
 *Pulk, Allen F.
- *Putnam, Alan G.
 *Putt, Kenneth F., Jr.
 *Quaintance, Michael J.
 *Quale, Gareth D.
 *Quirk, William F., Jr.
 *Rabine, Virgil E.
 Radford, David A.
 *Radtko, Norman D.
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 Ralston, Gene D.
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 *Reardon, Patrick J.
 *Reberger, John P.
 Reckner, James R.
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 *Reid, Walter J., Jr.
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 *Reite, Charles D.
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 *Renshaw, George S.
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 Reynolds, Claude D.
 Rhodes, James L.
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 Riley, Robert H.
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 *Riordan, Robert F.
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 Roman, Joseph N.
 *Romney, Richard B.
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 Rucker, Joseph T.
 Rugowski, James S.
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 Russell, James L., Jr.
- *Russell, Lawrence M.
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 Sadler, Jack R.
 Sage, Ralph J.
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 Salzer, Frederick D.
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 *Sanders, James E., III
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 Sandusky, Howard E.
 Sanger, John P.
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 *Sartoris, Joel R.
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 Savage, Eugene M.
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 *Sawicki, Halary S.
 *Schempp, Dale A.
 *Schermehorn, Richard V. R.
 Schilling, Robert A.
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 Schroeder, Arthur J.
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 Seebeck, George
 Seeler, Carl L.
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 *Senecal, Robert P., II

- *Sewell, Richard A.
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 Shaw, Laroyce
 Shaw, Michael G.
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 *Shigetani, Ronald Y.
 *Shindler, Glenn E.
 *Shoemaker, Charles L.
 Short, Mark S.
 *Shriver, Ronald E.
 Shuford, Earl D.
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 Shustack, Edmund J.
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 Simpson, Thomas E.
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 Sipe, Edman L.
 Sirmans, Russell E.
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 Skidmore, Wiley H.
 Slay, Billy R.
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 Spooner, Robert J.
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 Staton, Bobby P.
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 Stevenson, George A.
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 Stolz, Robert S.
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 Stone, "S" "J"
 Storaasli, Leroy O.
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 Strangeway, Leon E.
 Stratton, Phil Z.
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 *Stringer, Terrance L.
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 Sweet, Jack H.
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 Templin, Charles L.
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 Thelen, Frank, III
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 Thieme, Glenn A.
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 Thomas, Donald G.
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 Thompson, Vernon R.
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 Thurman, Ronald J.
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 Tittle, Harold E.
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 Toporoski, Daniel M., Jr.
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 Tosspon, Maurice C.
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 Trahan, Ronald G.
 Trance, Roland G.
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 Tucker, Roger W.
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 Tujague, Ronald B.
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 Turcotte, Roy V., Jr.
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 Turner, William A.
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 Vall, David W.
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 Valentine, Darrell L.
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 Vanderwier, Gerald M.
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 Vickery, Wayne M.
 Vigil, Leonard V.
 Vipavetz, George F.
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 Volk, Charles L., Jr.
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 Wagner, Fernley R., Jr.
 Wagner, Robert J.
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 Walker, Michael G.
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 *Walker, Robert F.
 Walker, William E.
 *Wall, James H.
 Walls, Hulet G., Jr.
 *Walsh, David H.
 Walt, Charles E., III
 *Walter, Leonard D.
 *Wangaard, Frederick F., Jr.
 *Ward, Robert F.
 *Ward, Terry W.
 *Warnken, Lawrence F.
 *Wasleski, George T., Jr.
 *Wass, Leonard R.
 Watford, Franky G.
 *Watkins, John R.
 *Watkins, Prince L.
 Watkinson, William H., Jr.
 Watson, Alva D., Jr.
 *Watson, Mitchell L.
 *Watson, Richard G., IV
 Watson, William E.
 *Weal, Keith I.
 *Weaver, Ben A.
 Webb, Jay S.
 Webb, Reginald C.
 *Weber, Gerald W.
 *Weber, Harry C.
 *Weed, Wilson G.
 Weerts, Gary L.
 *Weigel, Albert R.
 *Weigel, William R., Jr.
 *Weir, Robert F.
 Weller, Jac S.
 *Wellmann, Donald A.
 *Wells, Bruce
 *Welsh, Richard G. T.
 *Welsh, Robert M.
 *Welty, Charles S., Jr.
 *Wemple, Christopher Y.
 *Werner, Keith M.
 *Wesley, David R.
 West, Edward E.
 West, Franklin G., Jr.
 West, John C., Jr.
 *Westberg, Eric L.
 *Weston, Mark H.
- *Wexlar, Clifford W., Jr.
 Whitehead, Robert C.
 *Wiel, Thomas T.
 *Wilbourne, David G.
 *Wilk, Jeffrey
 *Wilkins, Joe L.
 *Wilkinson, Harry R.
 Wilkinson, John P., III
 *Williams, Billy B.
 *Williams, David I.
 *Williams, Donald E.
 Williams, Donald F.
 *Williams, John E.
 Williams, Joseph C.
 Williams, Paul R.
 Williams, Paul V., Jr.
 *Williams, Richard D., III
 Williams, Thatason L., Jr.
 Williams, William
 *Williamson, James K.
 *Wilson, Jack W.
 *Wilson, Jeffrey V.
 Wilson, Melvin A.
 *Wilson, Richard M.
 *Wilson, Stephen R.
 *Wilson, William E.
 *Winant, Frank G.
 *Windle, Frederick J., Jr.
 Windom, Bobby G.
 Winn, James R.
 *Winquist, John C.
 Winterberg, Franklyn E.
 Winthrop, Jeff G.
 *Wisenburg, Mark R.
 *Withey, Thomas A.
 *Witter, Ray C.
 Wixom, Robert F.
 Woll, Paul F.
 Wong, Henry K.
 *Wood, Bruce K.
- *Woodard, Arch
 *Woodard, Sanford G.
 *Woodruff, Robert B.
 *Woollett, Jerry F.
 *Wornson, Richard F.
 *Wright, Charles W.
 *Wright, David R.
 *Wright, Donald J.
 *Wright, Douglas F.
 Wright, George G.
 *Wright, Hubert H., IV
 *Wright, John R.
 *Wright, John T.
 *Wright, Robert G.
 *Wright, Robert E.
 *Wright, Webster M., Jr.
 *Wright, William H., IV
 Wright, Willis T.
 *Wynne, David C.
 *Yankura, Thomas W.
 *Yarborough, Bruce N.
 *Yarborough, Hugh W.
 Yates, Robert H.
 Yates, Robert E.
 *Young, Brian A.
 *Young, David G.
 *Young, Gary A.
 *Young, Gerry A.
 *Young, Joe E.
 Young, John J.
 Young, Martin P.
 Young, Terrence J.
 *Yule, Robert B.
 *Zakarian, Jacob H.
 *Zech, Gary G.
 *Zeller, Ronald L.
 *Zimmer, Robert J.
 *Zimmerman, Gary A.
 *Zimmerman, Fredric C.
 *Zohlen, John T.
 *Zwirschitz, Gary W.

SUPPLY CORPS

- Agnew, James E.
 Anderson, Edward J., Jr.
 Andrea, William R.
 Archibald, Robert L.
 *Armstrong, George R.
 *Ballbach, John D.
 Bartlett, Terry M.
 *Barton, Gary M.
 *Bary, David S.
 *Bates, Richard A.
 *Bell, James W.
 Bennett, Herbert D.
 Berreth, Donald M.
 *Bezanilla, David G.
 *Bice, Fred J.
 Biggins, James A.
 *Bill, Robert E.
 *Bishop, Phillip E.
 Black, John F., Jr.
 *Bliley, Jerry W.
 Block, Edgar D., Jr.
 Bollam, Kenneth A.
 *Borton, Robert E., Jr.
 *Boyd, Terran R.
 *Brandt, Craig M.
 *Briggs, Robert J.
 *Brighton, Edward E., Jr.
 *Burbick, Donald C.
 *Burgess, Edward L.
 *Byrne, James F.
 *Caldwell, Ray L.
 *Canale, Vincent T.
 *Chapin, Faxon, D., Jr.
 *Chiodo, Peter T.
 Christopher, Donald D.
 Claflin, Neville H.
 Coleman, Charles M., Jr.
 Collins, Jesse, Jr.
- Cook, Frank, C., III
 Craig, James B.
 *Creal, Albert F., Jr.
 *Cribbin, Thomas M.
 *Cross, Martin J.
 *Day, Maxie S.
 Deloach, Stephen J.
 Delong, David L.
 Deruiter, Kenneth
 *Dewing, James T., Jr.
 *Doares, Joseph M., Jr.
 Dobkowitz, Richard P.
 Dolian, James P.
 Dolores, George, Jr.
 *Donato, Robert C.
 *Dougherty, Daley D.
 Downer, Glenn I.
 Driscoll, Eugene J.
 *Drucis, Timothy J.
 *Dunkle, Charles T.
 *Dunkle, James A.
 *Earhart, Terry L.
 *Ebbesen, Preben E.
 Elich, Mitchell
 Emde, Arthur B.
 *Field, Leroy F., Jr.
 *Figueroa, Ernest L.
 *Fish, Herbert E., III
 Fisher, Richard C.
 *Fitzgerald, Robert C.
 Fonda, George A.
 *Ford, Richard P.
 Frank, Daniel S.
 Freiberg, Leonard S., Jr.
 *Gabor, John B., Jr.
 Gallagher, Patrick F.
 *Getts, Donald W.
 *Gibbins, Donald B.
 *Ginchereau, Eugene H.
 *Gladstone, Kenneth M.

*Glover, Clarence H., Jr.
 Gonzales, Virgilio G.
 *Gordon, John E.
 *Gorham, Robert L.
 *Graber, James E.
 Graeter, William F., II
 *Grandy, Emmett W., III
 *Greenwood, Alan R.
 *Griffin, Leonard C., Jr.
 *Hall, Kenneth R.
 Hall, Robert L.
 *Hallahan, Jeffrey W.
 *Hamilton, Howard H.
 Hargus, James W.
 *Harper, Philip B.
 Harrington, Michael G.
 *Harris, Christopher B.
 Harris, Allen W.
 *Hartwell, William R.
 *Heim, Robert C.
 *Hephner, Patrick J.
 *Hoffler, Robert E.
 *Holloway, Eugene C., III
 *Hopkins, Bruce A.
 Hoskins, Thomas T., III
 Humphrey, Carl L.
 *Hunter, Don L.
 *Jaffin, Frederick T., Jr.
 *Janssen, Clark J.
 Jarrard, Lamar J.
 *Jarvis, William E.
 *Jensen, Albert L.
 *Joerg, Joseph J., Jr.
 Johnson, Creighton E.
 *Jones, Gary P.
 *Kaplan, Paul E.
 Kasse, David I.
 *Kauppi, David O.
 Ketcham, Richard D.
 *King, James M.
 Kingston, David T.
 Kizer, John L.
 *Kosmark, Alfred C.
 Krejci, Stanley L.
 *Lacey, Donald O., Jr.
 *Laehn, David R.
 Lankford, Michael N.
 Latorra, Donald J.
 Lee, William T.
 *Leedy, Homer P.
 *Leverett, Guinn O., Jr.
 Lilley, Edward H.
 Lord, Clifford C.
 *MacKenzie, Edward H., III
 *MacMurray, Michael M.
 *Magrogan, William F., Jr.
 *Maitland, James R.
 *Mantonya, Robert R.
 *Martin, Ralph S.
 *Massie, Kent B.
 *Mathias, Edward J.
 McCormack, Robert S.
 *McCowan, William B., Jr.
 *McDonald, John F.
 McLean, Forrest T.
 McMillen, Kenneth V.
 McNutt, Lee F.
 McPherson, Thomas D.
 *Meter, Charles M., Jr.
 *Mizer, Robert J.
 Moles, Robert F.
 *Moore, Stephen D.
 Morgan, Edward A., Jr.

*Moutrie, Robert J.
 *Murray, Michael A.
 *Murray, Phillips S.
 *Murray, Thomas O., Jr.
 Newson, Richard W.
 *Nichael, Robert H.
 Norton, Ronald W.
 Norton, William F.
 *Notar, Ernest J.
 *Nunnally, Thomas M.
 *O'Connor, John, Jr.
 *Oehler, John J.
 *Olson, Jack E.
 Orms, John D.
 *Palmerlee, David F.
 *Perry, Bradford K.
 *Perry, James H., Jr.
 Pettigrew, Daniel
 *Pfann, William M.
 Pica, Joseph N.
 *Pomerantz, Ernest H.
 *Ponder, Joseph E.
 *Potter, Thomas L.
 *Privateer, Charles R.
 *Quinton, Edmund F.
 *Rasmussen, Kenneth H.
 Reagan, Joseph E.
 *Rebarick, William P.
 *Rehbock, Philip F.
 *Relersen, John E.
 *Ricketts, James B.
 Robertson, Herbert M.
 *Roesinger, Stephen J.
 Romero, Severiano L.
 *Rooney, Leo M., Jr.
 *Saltsgaver, William B.
 *Sampson, Thomas W.
 *Schaefer, John F.
 *Schewe, Norman L.
 *Schmlege, Thomas J.
 Schreiber, Dennis L.
 Schumann, Frederick W.
 *Shapack, Richard A.
 Siefken, David M.
 *Simpson, Steven E.
 *Smith, Charles E.
 Smith, Jerry W.
 *Smith, Stanley A.
 *Snyder, Ivan J., Jr.
 Snyder, John E.
 *Stanley, John A.
 Swing, John P., Jr.
 *Syro, Peter M.
 Tarantino, David A.
 Tarella, Raymond F.
 Tastad, Michael L.
 *Tate, Alfred W.
 *Terwilliger, Bruce K., Jr.
 Thleman, Richard J.
 *Thornburgh, Robert W., Jr.
 Toburen, David L.
 *Trager, Douglas H.
 *Trandum, William I.
 Tuggle, Richard C.
 *Vaughan, Woodrow W., Jr.
 *Veum, Douglas E.
 Vroman, Henry A.
 Waldrop, Charles G.
 *Walker, Francis A.
 *Walker, Francis D., III
 *Watt, Peter Kirk
 *Weekes, James E.
 *Welch, William R.
 Wheaton, Kenneth W.
 *Wilde, Charles L.
 *Wilkinson, Ronald C.
 *Williams, Jilson L.
 Wilmes, Donald J.
 Yeatts, Ralph L.

CIVIL ENGINEER CORPS

Ahl, John S.
 Baratta, Mario A.
 Barron, Richard M.
 Bohning, Lee R.
 Browne, David L.
 *Clarke, Wilmot F.
 Clay, Joseph V. F., III
 Clayton, James B.
 Connelle, Thomas P.
 Delmanzo, Donald D., Jr.
 Dillman, Robert P.
 Ebersbaker, Jerry C.
 Fausett, Stephen A.
 *Forestell, William L.
 *Free, William E., III
 *Fusch, Kenneth E.
 Gaither, Thomas A.
 Gallen, Robert M.
 Green, Joseph B., Jr.
 *Gregg, Ronald I.
 Guglielmino, Richard
 Gunn, Alexander C.
 Hadbavny, Ronald S.
 *Hall, Fredrick S., Jr.
 Hall, Mark W.
 Hartman, Franklyn J.
 *Haugen, James A.
 Hennings, Louis W., III
 Herrell, Orval G.
 Hibbard, George P.
 Jacobs, Paul F.
 Jarvis, Jimmie E.
 Jerabek, Frank J.
 King, Jerry W.
 Klink, Warren H.

MEDICAL SERVICE CORPS

Antonopoulos, Adam T.
 Aringdale, Gordon L.
 Ayers, Samuel H., Jr.
 *Barr, Kenneth B.
 Boyle, Richard L.
 Butts, Charles M.
 Carter, Franklin W.
 Clem, Nicholas J.
 Combs, Wesley B.
 Connors, Francis S.
 *Cook, Elvis D., Jr.
 Cook, Jimmie C.
 Corley, Richard A.
 Cota, Richard J.
 Cunningham, William F.
 Cunningham, Kenneth M.
 Dalton, James T.
 Dekrey, Charles R.
 Dotson, Robert M.
 *Duley, John W., Jr.
 Felt, Walter R.
 Fisher, Frank D. R.
 *Gaines, Richard N.
 Galbreath, Jerry D.
 Gregory, George H.
 Hilling, Levi N.
 Holcomb, Howard E.
 *Karch, Larry L.
 Lashley, Kenneth L.
 Lewis, Jack T.
 *Loy, James W.
 *McIntosh, Wilton W.
 McNamara, John E., III
 Mullins, William F.
 Oglesby, Norman G.
 Palmer, Timothy T.
 Pepera, Leroy J.
 Platt, Austin E.
 Pilkington, Richard H.
 *Pitts, Lucius L., II
 Renfro, Gene F.
 Robinson, Richard A.
 Sammons, John H.
 Skinner, Howard L.
 Slipsager, Frederick A.
 Smith, Lloyd D.
 Spillman, Graham B., Jr.
 Strong, Douglas M.
 Windholz, Francis L.
 Wortendyke, John
 Zink, George A.

NURSE CORPS

*Caya, Barbara A.
 *Langley, Ann
 *Linehan, Patricia A.
 Raymond F. Elworth, United States Navy for temporary promotion to the grade of chief warrant officer, W-4 subject to qualification therefor as provided by law.
 James B. Gautier, United States Navy for permanent promotion to the grade of lieutenant (junior grade) in the line of the Navy subject to qualification therefor as provided by law.
 Robert G. Grosse, U.S. Navy, for transfer to and appointment in the Supply Corps of the Navy in the permanent grade of lieutenant and temporary grade of lieutenant commander.

The following-named line officers of the

Navy in the permanent grade of Lieutenant (junior grade) and temporary grade of Lieutenant:

Larry R. Atkinson
 Dennis R. Conley
 Marvin E. Davenport
 Lloyd A. Dixon
 John M. Fleming, Jr.
 Benny J. Heeb
 John J. Lambright
 Sterling E. Nair, Jr.
 James M. Quarles
 Richard H. Williams
 John "J" Windbigler

The following named line officers of the Navy for transfer to and appointment in the Supply Corps of the Navy in the permanent grade of lieutenant (junior grade):

Robert C. Claar
 John P. Marshall, Jr.
 Robert H. Peiffer

The following-named line officers of the Navy for transfer to and appointment in the Supply Corps of the Navy in the permanent grade of ensign:

John P. Marshall, Jr.
 Raymond L. McCabe, Jr.
 William H. Spadafora
 Richard T. Tracy
 Steve M. Zientek

William M. Bass, Jr., U.S. Navy, for transfer to and appointment in the Civil Engineer Corps of the Navy in the permanent grade of lieutenant (junior grade) and temporary grade of lieutenant.

George T. Ankrum, U.S. Navy, for transfer to and appointment in the Civil Engineer Corps of the Navy in the permanent grade of lieutenant (junior grade).

The following named line officers of the Navy for transfer to and appointment in the Civil Engineer Corps of the Navy in the permanent grade of ensign:

James O. Jackson
 Donald L. Urban

The following-named (Naval Reserve Officers' Training Corps candidates) to be permanent ensigns in the line or staff corps of the Navy, subject to the qualifications therefor as provided by law:

Christopher T. Barber
 Charles P. Clausen
 Paul B. Horn, Jr.
 Robert J. Little, Jr.

The following-named graduates from Navy enlisted scientific education program to be permanent ensigns in the line of the Navy, subject to the qualifications therefor as provided by law:

Alan H. Armstrong
 Dennis J. Anderson
 Robert D. Axtell
 George L. Bass
 Norman E. Baker
 James J. Battell, Jr.
 Robert E. Baxla
 Donald C. Beckwith
 Paul L. Bernard
 Richard E. Bevers
 Grover C. Bishop
 David H. Booth
 Phillip H. Branan
 Stephen J. Brasher
 Charles A. Brown
 Paul M. Brown
 William H. Brown, Jr.
 Gerard J. Brunet
 Johnny W. Burnham, Jr.
 William Busching
 Kenneth W. Butcher
 Thomas E. Callahan
 Fred P. Campbell
 Martin J. Cheney
 Richard L. Christian
 Robert A. Clark
 Emerson S. Conrad, Jr.
 James H. Conrad
 John W. Corsey, Jr.
 Daniel G. Cowan
 Kenneth J. Culverson
 Kelly W. Curenton
 William H. Curley
 Laurence D. L. Custer, Jr.
 William E. Davies
 Bruce K. Eckhardt
 Don R. England
 Freddie E. Fare
 Andrew Fischer
 Milton L. Fraser
 George R. Frederick
 Harold L. Galloway
 Franklin B. Gilmer
 William R. Gongaware
 Samuel P. Grove
 Thomas P. Guilfoill
 Jonathan A. Hammar
 John H. Henderson
 Harold T. Hobbs
 Hollis W. Holden
 Bruce E. Holdt
 Douglas D. Hoople
 Prentice L. House
 Robert F. Howd
 James A. Jaques III
 John A. Jarrell
 Joseph A. Jenners
 James D. Jones
 Francis A. Judnich
 Terrence C. Keller
 James R. Kennish
 Ralph E. Kenyon, Jr.
 Marvin W. Kidder
 Robert L. Kingsbury
 Jon P. Kjellander
 David L. Koehler
 Selmond G. Kopinitz
 Wayne J. Leleux
 Delio Lopez, Jr.
 Daniel W. Luczak

Robert A. McCurry
Donald McHugh, Jr.
Lynn T. McNall
Harold E. Marshall
George W. Maslin, Jr.
Clarke D. May
William W. Miller
Arthur R.

Monteville, Jr.
Roy E. Morrow
Peter A. Nann
Richard N. Nelson
Frank G. Ness, Jr.
Theodore J. O'Connor
Russell W. Ogle
Richard E. Oliver
Michael D. Olson
James D. Pardee
Thomas L. Patterson
Charles D. Phillips
George E. Plank
David L. Powell
John J. Prevost
Clifford E.

Provencal, Jr.
Robert L. Puhlman
Gary G. Ralston
Thomas P. Rankin
Donald F. Regener
Donald M. Reynerson
Frederick K.
Richardson
Trinidad Rios, Jr.

The following-named civilian college graduates (dental intern program) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Stanley Drab

Herman A. Rogers
William K. Rossiter
Larry A. Sanberg
John R. Savory
Edwin A. Schmidt
Lawrence W. Scott
Harry E. Selfridge
Peter N. Shoudy
Douglas H. Siemon
Virgil R. Siler

Rolland W. Skiles
Terrence P. Slaters
Kenneth L. Smith
William G. Smith
Robert L. Soo
Jerome F. Spencer
Lawrence O. Stahl
James D. Stevens
John L. Stone
Harry W. Sutton
Jesse E. Teel, Jr.
William R. Teetz
Douglas M. Tennant
Richard L. Thacker
William A. Timberlake
Gary C. Trenker
Joseph E. Tyler
Charles H. VanVlack
Kenneth E. Walling
Robert D. White
Pharis E. Williams
Donald E. Winge
Val E. Watkins
James E. Zwerink

Jan C. Haugen

Larry D. Hensley
Robert L. Jucovics
Ralph E. Lassa II

The following-named Naval reserve officers (dental intern program) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

John J. Armoskus
William H. Bacon III
William S. Bate
Lawrence W. Blank
Robert C. Bonhag
Richard L. Cannon
Alan R. Carr
Richard J.
Ellenbecker
Joe C. Freeman
Dennis A. Frieder
Lawrence I. Goldblatt

John H. Morrow
Phillip R. Pate
Philip J. Tighe

Dennis D. Hammer
William W. Iversen
Dwane I. Johnston
Edward T. Lally
Richard B. Leibowitz
William O. McIntire
Robert J. Olson
Richard W. Parker
John T. Russell II
Russell J. Stratton
Ronald N. Taylor
Wayne M. Wiley, Jr.

The following-named Naval Reserve officers (dental intern program) selected as alternates, to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

Myron J. Bauer
James O. Hix III
Clarence P. Goodrich

Don M. Barron (Naval Reserve officer) to be a permanent lieutenant in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law.

The following named (civilian college graduates) to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy, subject to the qualifications therefor as provided by law:

James F. Almond
Eugene T. Santucci

Michael Gotthardt, Jr.
William L. Willis

Norman Ronis (Naval Reserve officer) to be a permanent lieutenant commander and a temporary commander in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law.

The following named (Naval Reserve officers) to be permanent lieutenants and temporary lieutenant commanders in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

George J. Brodmerkel, Robert C. Leshner
Jr. Leslie I. Sechler
Manly E. Hutchinson, Lloyd W. Stetzer
Jr.

The following named (Naval Reserve officers) to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy, subject to the qualifications therefor as provided by law:

Sheldon Brotman, Arthur E. Kunz, Jr.
Zane A. Brown, Wayland S. Lee
Michael D. Butcher, Stephen H. Libien
John R. Clifford, David M. Lichtman
Marvin H. Fields, Thomas S. Roy II
Gary L. Harter, Clarence H. Spence
William M. Jackman, Robert B. Wilcox

WITHDRAWAL

Executive nomination withdrawn from the Senate, April 25, 1968:

POSTMASTER

The nomination sent to the Senate on April 8, 1968, of T. Nathan Churchill to be postmaster at Washburn, in the State of Maine.

HOUSE OF REPRESENTATIVES—Thursday, April 25, 1968

The House met at 12 o'clock noon.
The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

If ye continue in My word, ye shall know the truth and the truth shall make you free.—John 8: 31, 32.

O God, our Father, and our fathers' God, in this land of liberty we sing and pray and live. Make us ever mindful of the cost of freedom to preceding generations and may we be ready to pay the price to keep freedom alive in our own day. Help us so to live in its spirit that all men everywhere may see it, and seeking it seek it, and seeking it secure it, for their own good and for the good of all.

Keep Thou the love of liberty glowing in our hearts and the faith in freedom growing in our homes—so shall we continue to be free and so shall the flag of freedom fly forever over the fortress of faith our forefathers founded on these shores.

In the name of Him whose truth keeps men free we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without

amendment a bill of the House of the following title:

H.R. 15344. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 10. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Ocean Delight*, owned by Saul Zwecker, of Port Clyde, Maine, to be documented as a vessel of the United States with coastwise privilege; and

S. 1093. An act to authorize the use of the vessel *Annie B.* in the coastwise trade.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1864. An act to define and regulate the practice of psychology in the District of Columbia; and

S. 2017. An act to authorize the Commissioner of the District of Columbia to enter into contracts for the inspection, maintenance, and repair of fixed equipment in District-owned buildings for periods not to exceed 3 years.

HISTORY'S WARNING

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Speaker, the record shows that in all ages where republican forms of government have been lost, it has been through the pretense of a share-the-wealth program, a blind faith in public officials, and apathy on the part of those who could act but did not. To mention only one of many, many examples from past history, may I quote from a statement made by Cicero over 2,000 years ago:

The budget should be balanced, the treasury should be refilled, public debt should be reduced, the arrogance of officialdom should be tempered and controlled, assistance to foreign lands should be curtailed lest Rome become bankrupt, the mobs should be forced to work and not depend on government for subsistence.

History reveals that public officials heeded not the warning—therefore, the government collapsed.

SO-CALLED POOR PEOPLE'S MARCH ON WASHINGTON

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.